密勒氏評論報

THE WEEKLY REVIEW

Formerly Millard's Review

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J. B. POWELL, Editor and Publisher
HOLLINGTON K. TONG, Assistant Editor, Peking
MARGARET C. POWELL, Local Editor and Women's Interests
R. B. LIBBY, Financial Editor and Business Manager

CONTRIBUTING EDITORS

C. F. REMER, (America)　　PETER S JOWE,
HIN WONG, (Canton)　　(Hankow)

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WASHINGTON BUREAU
J. J. Underwood—Correspondent
Colorado Building, Washington, D. C.

TSINGTAO, THE METROPOLIS and port of Shantung province is the wonder city of Asia. It was founded by the German kaiser, nursed by him, and was the pride of his heart. Germany spent millions of marks on Tsingtao when marks were gold. Then the world war came along and Japan took Tsingtao from Germany. Japan spent many more millions on Tsingtao and made it more of a wonder city of magic than even the Kaiser dreamed. Tsingtao now has approximately 125,000 people and is the most modern and most beautiful city in all Asia. The Washington Conference returned Tsingtao to China and the Chinese people are being handed (at a fair price let us hope) a ready-made city with wide paved streets and boulevards, modern sewers and sanitary devices, pure water supply, electric lights, public parks, paved motor roads, comfortable hotels, beautiful public buildings—everything. What is China going to do with Tsingtao? We think of the congested, dirty, disease-beggar infested native city of Shanghai and dozens of others similar within a few hours of Shanghai and—shudder. Dr. C. T. Wang and a few other modern forward seeing men around him will maintain Tsingtao as it is and carry it on to still greater glories if they are given a chance. But already the military robber barons are fighting among themselves to determine who shall have the right to plunder and disgrace this beautiful city. China had a terrible responsibility thrust upon her when she was awarded this modern ready-made metropolis.

THE ANNUAL MEETING of the American Society of International Law, which was held in Washington during April was devoted to a discussion of the achievements of the Washington Conference, and therefore to a consideration of the problem of China. Mr. Elihu Root, America's foremost lawyer and an authority on international relations referred to China as follows:

> "It is also clear that the continuance of the same inability to perform international obligations has down to the present time prevented the full admission of China to the circle of states governed by international law, notwithstanding her inclusion in diplomatic conferences and regular diplomatic intercourse."

Referring to the Washington treaties and resolutions, Mr. Root said;

> "Any one examining the treaties and resolutions will find that they uniformly sought a

double object, first, to relieve the limitations and inconveniences flowing from the old conventional relations as far as was then practicable under the existing governmental conditions in China, and second, to afford to all sections and parties of the Chinese people a helpful incentive to unite in the establishment of an effective and stable government by making specific provisions under which such a government, competent to perform its national duties, will be the means of bringing China into the full possession of the rights and liberties assured by international law to the members of the family of nations, just as Japan has been brought into that family.

"Personally I am a believer in the coming of that event. It will be a long difficult process, for it requires the new education of more than four hundred million people, but I look to the future of that industrious, kindly, peaceable people, with their inveterate respect for individual and family rights, not as a yellow peril but as a great reinforcement to the power of ordered liberty upon the domination of which the future of our civilization depends."

HE lays down a challenge to the Chinese people. The Washington Conference has provided "a helpful incentive" to the Chinese people to forget their internal differences and to work together to bring their nation to a position in consonance with her size and population. Nobody can do this for China. It has to be done by the Chinese people. No one can abolish extraterritoriality except the Chinese people. No one can bring about the return of settlements and concessions except the Chinese people. While petty politicians are running about intriguing for the presidency, while still pettier militarists are seeking for power, the day for the achievement of China's program of reconstruction is becoming more distant.

MR. Frederick Moore, Foreign Counsellor to the Japanese Ministry of Foreign Affairs, at the same meeting said that the Washington Conference had given China a *magna charta*. "It is now," he said, "for the Chinese to unify their country, create a condition of security for life and property within it, and establish their responsibility to others. When they have done that, as the Japanese did with conspicuously fewer resources and advantages, they will find equal facility in getting rid of the humiliation of extraterritoriality and the presence of foreign troops at their capital and elsewhere." Which brings one to the question that J. O. P. Bland always asks. "Where are the men who can do this job?" J. O. P. insists that it is premature to judge their ability; that the day will come when they will conspicuously prove their worth. Already they are indicating that in certain fields of industry and banking they are able to take premier rank among much older men. It is, however, doubtful whether they possess the moral energy of the leaders of the Meijii period in Japan to cut the Gordian Knot of impossibility and find a way to the rejuvenation of China as a nation. More attention should be given, however, to the students within China, to the young men who suffer unrelieved by foreign excursions every pain and every torture that is China's fate. These young men are not exalted by the pride of position and opinion; they know the weaknesses of the nation and they feel the incompetence of a government which starves their teachers. These young men may be the saviors of China and as a new school term commences, we bid them train valiantly for the tasks before them, that they may be intellectually and morally capable of facing them.

SOOCHOW CREEK IS a case which warrants the most careful consideration of the progressive Chinese. Here is a waterway which is fast becoming a nuisance to Shanghai when it ought to be a benefit. The Kiangsu Conservancy Board is an organ of the Kiangsu gentry and is of little value to the province save as a means for getting funds for those who have it in charge. The Kiangsu Conservancy Board has not done a single thing for the improvement of the creek during its entire existence, but it has prevented a competent organization, such as the Whangpoo Conservancy Board from accomplishing this work. The objection raised to the Whangpoo Conservancy Board is that it impairs China's sovereignty, which is sheer poppycock, since the Board is a Chinese organization, the head of which is the local Commissioner for Foreign Affairs. The question of sovereignty is raised to impede progress, to keep incompetent Chinese officials in jobs which bring with them salaries but no work and to prevent the Whangpoo Conservancy program from becoming effective. The work has to be done. It is to the interest of China that it should be done and done well. Why not permit those who know how to do the work, do it? When China learns to exploit the best ability the entire world has to offer in her own interest, she will go a long way toward the ending of that unfortunate political position in which she now finds herself.

The Cantonese Political Currents

BY HIN WONG

Are terrorism and capitalism going to follow militarism in South China?

Hongkong within a month, (August), saw the murder of one employer and the fatal wounding of another in connection with local labor troubles. These took place before the question of the killing of five Chinese laborers by British police during the seamen's strike last March was partially settled. Destruction of life and property by bomb explosions in Macao, sometimes as many as seven cases in one evening, has brought a feeling of terror among the Portuguese authorities and the Chinese residents of that port for some weeks. Bombs used as a protest against the indiscriminate killing of more than two score of Chinese last May 31 by Portuguese police also are employed to intimidate Chinese who formerly resided there, who fled and who now dare to return before the present boycott by Chinese laborers against that port is declared off.

While the Canton and the Hongkong authorities are still looking into the assassinations of General Tang Heng and Commissioner Chen Tet-sang, the latter of the Canton public roads department, two close followers of General Chen Chiung-ming, reports of the murder of Senator Liang Pui, M. P., from Kwangsi, near Nanning, is published. These are not included in the numerous incidents in which political suspects and opponents have lost their lives through illegal or questionable means, since the mutiny of the Cantonese Army against Dr. Sun Yat-sen on June 16. There is hardly a day in Canton that the daily newspapers do not publish reports of some labor trouble resulting in disorder; and there is reason to fear that too many unsatisfactory settlements, especially those in favor of the capitalists, may result in measures of the class that some workers have begun to adopt in Hongkong.

Persons of wealth are beginning to participate in political affairs in Canton and money power has joined hands with military influence. In Canton the large arsenal, the government mint, the leading

railroads, all now are nominally in the hands of comparatively young men whose family fortune is their most powerful backing. While military dictation and coercion might have played a great part in the recent election of a provisional civil governor in Canton, the promise of financial aid to the public and to the individual members of the electoral college was the deciding point. So far the younger men from wealthy families have done as well as old time professional officials, and they could have done better had they confined themselves within their sphere of office and power and not mingled with matters and work outside their control. A veteran business man, one of the early Chinese educated abroad, will officiate as civil governor of Kwangtung for the next few months, at least. If he is as successful in the government office as he has been in business, the Cantonese will be fortunate. Not only in Canton proper but also in several districts inland former merchants have become district magistrates. Tang Sam Pak, formerly of Honolulu, was magistrate of Hoiping until he, as a supporter to Dr. Sun Yat-sen, resigned. The districts of Hokshan, Samshui, Kohyue and others, are being headed by non-professional politicians but overseas Chinese. Popularity was not essential in getting the nomination from the people before being appointed by the governor, and some money had to be used for getting the support of voters, each of whom was to pay a road tax of sixty cents before being allowed to register for the franchise. The new type of officials are being watched by the old, who are always looking for the faults of their rivals, and the latter have not always disappointed them, because of inexperience rather than a desire to misgovern for selfish gain.

Foreign influence has played no small part in the political life and labor situation in the South. Most of the labor organizations have come into being through the leadership of overseas Chinese. Student support to the labor movement has been aroused by the press which has published within the last two years much of new thought literature, translated from Russian and other European languages. The news of frequent strikes in other labor centers and reports of some of the methods employed by American and European union men in dealing with strike-breakers have not been without influence upon the southern Chinese laboring elements.

Active participation of the merchant class in politics and the realization by the laborers of their power in government have become a fact in South China. Will they overcome militarism or be its accomplice? The splendid work of the many civic organizations of the West for social welfare and city reform has so far found no following, while the dirty ward politics of some American cities has had its influence in at least one newly organized Southern Chinese municipality. Before Wuchow (Kwangsi) Municipality, with a graduate of Columbia University as mayor, was able to proceed in its city improvements last spring so much complaint from the people was made and the atmosphere grew so unsavory that the governor of the province, also a graduate of a foreign college, had to cease employing too highly educated overseas Chinese for the posts of city executives.

Returned students from America and Europe number not a few in South China and some of them are Christians, too; but those who have been most successful in leading the labor organizations in the South were men who had been abroad but a short time, persons least able to transmit the highest ideals to the laboring class.

The Western conception of labor rights and privileges has entered the mind of the Southern Chinese working class, but full appreciation of the responsibility of citizenship and obligation to public welfare regardless of occupation and creed has not been reached by all. In Canton the labor unions are ready to parade for any dominant party whether political or otherwise, and for the recent anti-Christian movement in the South the laborers agitated without knowing what they were doing.

It seems that in the South, at least, the overseas Chinese of the more active, but less informed, class together with the irresponsible press carrying foreign thoughts of a somewhat radical nature are having more influence on the people than the regularly organized Christian missionary societies, which have churches and schools. The Christian returned students, except those who are directly connected with educational activities, have not been in evidence in government circles; and they as leaders of society who would mold opinion cannot be noticed. Moreover, the returned students are divided themselves; and politically, in Canton they have owed their entrance or exit to the success or failure of the Kuomintang party. In Canton the Christians and the returned students have no control over any section of the press, which still exercises great power, despite frequent periods of censorship and the absence of the proper class of journalists.

The old Mandarin system of government can no longer find place in Canton or other Southern cities, while militarism is supreme nowadays. Will terrorism and capitalism be employed by the labor elements and the merchant class as militarism is being used by commanders of troops to obtain control of the government and decide questions at issue? This is coming to be a question in the South if not also in other parts of China.

Canton, September 1, 1922.

Inaugural Meeting of American Woman's Club

Extensive plans of the club for the coming year were discussed at the inaugural meeting of the American Woman's Club at the Carlton Cafe, on Tuesday, September 12. Dr. Anne Walter Fearn, newly elected president, presided over the meeting and read to the club a letter received from the secretary of the woman's club in Paris, asking for a detailed report of the club in Shanghai, after which to pattern their club. The letter contained some complimentary remarks regarding the excellent work of the woman's club here.

Dr. Fearn then called for reports from the various committees having in charge the country fair to be held in October at the Town Hall. The chairman of each division responded to this call and gave in detail what each particular section was planning for its booth. The names of these chairmen, including the various divisions to be represented follow:

General Committee, Mrs. Gardner Crane, chairman.

New England section, Mrs. P. N. Sargeant, chairman.

Atlantic or New Amsterdam section, Mrs. J. T. Hammond, chairman.

Southern section, Mrs. E.S. Cunningham, chairman; Mrs. E. H. Himrod, vice-chairman.

Middle West section, Mrs. R. H. Hudson, chairman.

Southwestern section, Mrs. H. M. Sheldon, chairman.

Northwestern section, including Alaska, Mrs. Paul Page Whitham, chairman.

Honolulu section, Mrs. R. H. Turner, chairman.

Philippine section, Mrs. R. W. Squires, chairman; Mrs. F. Van Buskirk, vice-chairman.

Shanghai section, Mrs. R. A. Parker, chairman.

The Washington Conference and Far East Questions

BY SIR JOHN N. JORDAN

From the *Quarterly Review*, (London)

I.

THE invitation issued by the president of the United States to the government of Great Britain in August last, to participate in a Conference to be held at Washington, had for its main purpose the limitation of armaments; but it also expressed the hope that the facilities afforded by the Conference might lead to a solution of Pacific and Far Eastern problems. It is not the purpose of this article to deal with the results—notable and far-reaching as they were—which the Conference achieved in the reduction of armaments and in ensuring the maintenance of peace for a long period over a vast region which had threatened to become the scene of another world conflict. My task is the more modest one of considering the work of the Conference in its bearing upon the future relations of the various Powers in the Far East, more particularly China and Japan.

Without a settlement of Far Eastern questions, no limitation of armaments was practicable; and so strongly was this felt that the Conference of Prime Ministers and Representatives of the United Kingdom, the Dominions, and India, held at the time in London, was firmly convinced that the Conference on Disarmament should be preceded by a friendly exchange of views and a mutual understanding between the Powers mainly interested in the Far East and the Pacific. At Washington the various questions were considered concurrently; but it was soon realized that they were so interdependent that care had to be taken to prevent the discussions on disarmament getting ahead of the consideration of Far Eastern matters.

The Far Eastern question, as it existed at Washington, was one that had grown up during the last twenty-five years. It dated from the Chino-Japan War of 1894 and the intervention of Russia, Germany, and France, which obliged Japan to forgo largely the fruits of her victory and abandon her demand for the cession of South Manchuria. All three Powers claimed and obtained in quick succession substantial compensation for the services they had rendered to China. Within three years Germany obtained the lease of Kiaochow. Russia a lease of Port Arthur and Dalny, France a similar lease of Kuangchou Wan; while Great Britain reluctantly engaged in the scramble and, to maintain some degree of equipoise, secured leases of Wei Hai Wei and the Kowloon extension, opposite Hongkong. This was only the beginning of a process of disintegration which had gone on ever since, and was proving not only a menace to China, but threatened, if unchecked within a measurable distance of time, to end in a conflict between the Powers themselves. China was carved into spheres of influence and enmeshed in a network of railway and other concessions, which, under the play of rival interests, retarded her economic development.

The only Power that had held aloof from this unseemly scramble was the United States; and it was fitting that the Conference which was to disentangle the complicated situation should be held under its auspices. The Far Eastern policies of most of the other Powers were largely influenced by the exigencies of European politics; and China complained, not without reason, that she was being used as a pawn in a game in which she had no particular interest. Free from European entanglements and self-contained in its own vast domain, the United States was in the happy position of being able to follow a disinterested course in China. They stood deservedly in high favour with the Chinese as the people who had never encroached upon Chinese territory and had contributed more than all the other Powers combined to the educational advancement of modern China. On the other hand, they had taken very little part in the material development of the country, and their efforts in this direction had not shown any marked consistency or continuity of policy. In 1898, they obtained the original concession for one of the most important railways in China, only to sell it back to China at a profit. Again, in 1913, one of the first acts of President Wilson's Administration was the withdrawal of the American Banks from the Consortium at the very moment when the Reorganization Loan of that year was being concluded. The reasons given were that the conditions of the Loan seemed to touch the administrative independence of China and included the pledging of antiquated taxes. These 'antiquated' taxes, after eight years of British Administration, now form one of the chief national assets and produce as large a revenue as the Customs. It is to be hoped that the part which the United States Government has taken in the organization of the Consortium, and the still greater service it has rendered in regularising through the Conference the whole situation in China, will release some of its vast resources for constructive work in that country.

Great Britain, which opened China to the trade of the world, and had held the leading position there, had modified her attitude in recognition of the rising power of Japan. For nearly twenty years the Anglo-Japanese Alliance had been the dominating factor in British policy in the Far East, and even India had come within its scope. The Alliance was in its essence a military compact, and in that character had proved a most effective instrument in two great wars. It had kept the ring for Japan in her colossal struggle with Russia; and ten years later Japan had repaid the debt she owed to Great Britain by the very material assistance she rendered to the Allied cause in the still greater struggle in Europe. But in preserving the independence and integrity of Korea and China, which was one of the ostensible objects of the Alliance, it did not attain the same measure of success. Korea's independence had vanished and disappeared from the Treaty in its later form, while China's integrity had fallen into a parlous condition. In the opinion of most competent observers, the Alliance was no longer of any great assistance in maintaining the principles it professed to advocate. It was felt both in Japan and Great Britain that with the disappearance of Russian and German aggression in China, the Alliance had fulfilled its purpose; and that if it was to have an extended period of usefulness, it should be merged in some larger arrangement, to include the United States as a Power which had great and rapidy increasing interests in the Pacific and which regarded the Anglo-Japanese Alliance as a barrier to Anglo-American friendship. Since the acquisition of the Philippines in 1898 and the construction of the Panama Canal, America had been drawn more and more into the orbit of Far Eastern problems, and as the points of contact between her interests and those of Japan threatened to increase, the relations of the two Powers developed a degree of friction

which was in urgent need of appeasement. These were the conditions in which the Washington Conference met to consider the problems of the Far East and the Pacific, and we have now to see how far it succeeded.

The Conference evolved four main Treaties and ten Resolutions regarding the Pacific and Far Eastern questions. These were supplemented by several Declarations and Statements made by individual Powers on their own responsibility in explanation of their attitude and policy. The Treaties, which naturally occupy the first place of importance, are (1) the Four Power Treaty between the United States, the British Empire, France, and Japan relating to their insular possessions in the Pacific Ocean; (2) the Nine Power Treaty between the United States, Belgium, the British Empire. China, France, Italy, Japan, the Netherlands, and Portugal, laying down the principles and policies to be followed in China; (3) the Treaty between the same Nine Powers dealing with the Chinese Customs Tariff; (4) and the Treaty between Japan and China recording the terms of the Shantung settlement.

The first Treaty was signed on Dec. 13, and laid the foundation for all the subsequent work of the Conference. It superseded the Anglo-Japanese Alliance and substituted for it a quadripartite Treaty by which the Contracting Parties agree as between themselves to respect their rights in their insular possessions and insular dominions in the Pacific. Should any controversy arise between any of the Parties in regard to these rights, a joint Conference is to be held for the adjustment of the matter. If such rights are menaced by the aggressive action of any other Power, the Contracting Parties are to consult together fully and frankly in order to arrive at an understanding as to the measures to be taken to meet the situation.

Though this is a very mild instrument as compared with the Anglo-Japanese Alliance which it ostensibly replaces, it does not follow that it will not be an equally effective means of preserving peace. It recognises the changed spirit of the time and, instead of holding out a threat of resort to force for the settlement of differences, it adopts by preference the reasonable alternative of meeting together and attempting to compose them by amicable discussion. As Senator Lodge said, in laying the Draft Treaty before the Conference, the surest way to prevent war is to remove the causes of war; and this Treaty represents an earnest effort to remove the causes of war over a great area of the surface of the globe by relying on the good faith and honest intentions of the four Powers who made it. Readers of books like Mr. Bywaters's 'Sea Power in the Pacific' will have realized the gravity of the situation between Japan and the United States; and a study of the Washington Treaties will, I think, convince them that no better solution could have been found for the acute differences that had arisen. The best proof of this is to be found in the cordial reception the arrangement has had not only in England and America, but also in Australia and New Zealand, the Dominions most closely affected by it.

Standing by itself, however, the Four Power Treaty would not have been an adequate substitute for the Anglo-Japanese Alliance. It covers only part of the ground included in the Alliance; and its complement is the Nine Power Treaty signed on Feb. 6. This deals exculsively with China, and prescribes, as already mentioned, the general principles which the signatory Powers agree to adopt as the basis of their policy in that country.

The Powers, other than China, agree:

1. To respect the sovereignty, the independence, and the territorial and administrative integrity of China;
2. To provide the fullest and most unembarrassed opportunity for China to develop and maintain for herself an effective and stable Government;
   To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;
4. To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

These statements have a familiar ring, and most of them will be found embodied in Agreements, exchanges of Notes, and other documents which the Powers have concluded at various times, either with China, or more generally, between themselves with regard to China. Several of the expressions have lost much of their original meaning in the Far East, and it will require something more than their repetition in a Treaty to convince people there that the professions of faith which they represent are likely to be translated into practice with greater success in the future than they have been in the past. But there are several important differences which distinguish this Treaty from those that preceded it. Nearly all the previous Agreements were made about China without China being a party to them, and often for ulterior reasons not connected with China. No appeal was ever made by China to Treaties of this kind, which she keenly resented; and in practice they became dead letters or were used by the Nations who made them to cloak their own designs.

China has now for the first time been associated with the Powers in the enunication of this self-denying ordinance, and will be able to appeal to them against any breach of its terms; while they in turn will be in a position to call her to account for any failure to carry out her part of the contract.

Another fundamental difference between this and all previous Agreements is that the Treaty groups together and consolidates in a unified form the substance of the various engagements which the Powers had entered into between themselves, and for the first time it makes them collectively responsible for the fulfilment of these undertakings. The Treaty is further supplemented by two Resolutions which add immensely to its value, and will be noticed in connection with the succeeding Articles, which we now proceed to examine.

Article III. deals with the question of the Open Door, or equality of opportunity, and makes a valiant attempt to give a practical application to the term. The Powers agree that they will not support their nationals in seeking:—

(a) Any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

(b) Any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China or of participating with the Chinese Government or with any local authority, in any category of public enterprise, or which by reason of its scope, duration, or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity;

and China undertakes to adhere to the above principles in dealing with applications for economic rights. Article IV. virtually abolishes spheres of influence, and Article V. contains an elaborate provision against discrimination of any kind on railways.

So far as words go, the provisions are all that could be desired, and, if loyally enforced, should do much to revitalise a somewhat discredited doctrine and prevent for the future the questionable transactions which have made Peking finance a byword. The machinery for their enforcement is furnished by the two Resolutions to which reference has already been made. The first stipulates that full publicity is hereafter to be given to all matters affecting the political and other international obligations of China and of the Powers in relation to China, and makes detailed arrangements for having all existing commitments and all future Agreements and Contracts filed with the Secretariat-General. The Chinese Government is similary obliged to notify all engagements into which it may enter. The position is further strengthened by the establishment of a Board of Reference to which questions as to the execution of these arrangements are to be referred.

The Powers have tacitly acknowledged the mistakes of the past and have imposed upon themselves and upon China severe restrictions for the future. They have wisely had recourse to publicity as the only means of coping with Chinese corruption and foreign exploitation. Politicians in Peking will no longer be able to mortgage the assets of the country, or to grant the same concession to two or three parties; and foreign promoters will no longer receive support in foisting upon China Western novelties for which the country has no use. Nothing has been more disquieting in the recent history of China than the light-hearted way in which the Government has contracted loans for unproductive and wholly useless purposes. That it was not always so, the following incident will show. In 1895, when the Japanese indemnity was being discussed, Prince Kung called one day at the British Legation, and on being told confidentially the probable amount of the Japanese claim, he simply collapsed, and asked leave to retire into an adjoining room to recover from the shock. During the great European War the Government at Peking contracted loans amounting in the aggregate to the war indemnity paid to Japan, and squandered every farthing of it in maintaining military forces which are a standing menace to the peace of the country.—*Reprinted from the Peking and Tientsin Times.*

The United States Policy in China

BY GEORGE E. SOKOLSKY

THE American attitude toward concessions and extraterritorial rights has generally been identical with the British view and contrary to the French. The British have always recognized fully Chinese sovereignty in the British concessions and the rights of Chinese authorities to arrest British subjects on condition that they are immediately handed over to the proper British authorities. The United States has held to the same principle of not impairing China's sovereignty in theory even when the facts of the situation made it impossible for foreigners to live in China otherwise than under the protection and governance of their own laws and officials. The French have regarded French concessions and settlements as French territories, as French colonies, and have denied the right of the Chinese to function municipally as regards French citizens or protegees even where French law could not protect life and property. Due in no small measure to the refusal of the United States and Great Britain to recognize the French claims, particularly with regard to the French concession in Shanghai, the French point of view is untenable and unrecognized.

At one time or another the United States has exercised extraterritorial jurisdiction in Borneo, China, Japan, Korea, Madagascar, Muscat, Morocco, Persia, Samoa, Siam, Tripoli, Tunis and Turkey. The *raison d'etre* for such jurisdiction has been the diversities of law, custom, and social habits of countries of non-European civilizations are so great as to make it almost impossible for Europeans to live, trade and function socially in those countries without special legislation. Extraterritoriality has never been regarded as a permanent institution and it has always been held by the United States that as soon as a country gives evidence of having adopted a technique of government and protection of life and property in conformity to the predominant system and ideals of the Western world, it would be abolished. The Washington Conference has actually appointed a commission to examine into the possibility of abolishing extraterritoriality in China, but that commission has deferred its visit to China at the request of the Chinese Government.

The legal basis for the application of extraterritoriality to China by the United States appears in the Treaty of Wang Hea, in 1844, in the following provisions:

> Subjects of China who may be guilty of any criminal act towards citizens of the United States shall be arrested and punished by the Chinese authorities according to the laws of China, and citizens of the United States who may commit any crime in China shall be subject to be tried and punished only by the Consul or other public functionary of the United States thereto authorised according to the laws of the United States; and in order to the prevention of all controversy and disaffection, justice shall be equitably and impartially administered on both sides.
>
> All questions in regard to rights, whether of property or person, arising between citizens of the United States in China shall be subject to the jurisdiction of and regulated by the authorities of

their own government; and all controversies occurring in China between the citizens of the United States and subjects of any other Government shall be regulated by the treaties existing between the United States and such governments respectively, without interference on the part of China.

If individuals of either nation commit acts of violence and disorder, use arms to the injury of others, or create disturbances endangering life, the officers of the two Governments will exert themselves to enforce order and to maintain the public peace by doing impartial justice in the premises.

The Concession or Settlement is a result of the application of extraterritorial jurisdiction to China. S. Wells Williams, who was here at the time, describes the working of the system as follows:

> The outcome of the working of treaty provisions between foreigners and natives at the five opened ports during the ten years up to 1853, had been as satisfactory to both sides as could have been reasonably expected. The influx of foreigners had more than doubled their numbers; and as almost none of them could talk the Chinese language, it happened that natives of Canton became their brokers and compradores—rather more by reason of speaking pigeon-English than by their wealth or capacity. The vicious plan of marking off a separate plat of land for the residence of foreigners at each port was adopted, and their development tended to build up concessions, or settlements, which were to be governed by the various nationalities. In doing this the local authorities vacated their rights over their own territory, and these settlements have since become the germs of foreign cities, if not colonies. The British and French consuls at Shanghai claimed territorial jurisdiction over all who settled within the limits of their allotted districts, and carried this assumption so far as to exercise authority over the natives against their own rulers.
>
> The British ere long gave up this pernicious system, which had no legal basis by treaty or conquest, and yielded the entire internal management of all consular communities to those foreigners who composed them. There were not enough residents elsewhere to raise this question of local government to any importance, but the progress of the Tai-pings and the rapid growth of Shanghai as a centre of trade for the Yangtze basin, compelled the preparation and adoption of a set of land regulations in order to institute some means of governing the thousands of foreigners who had flocked thither.

For the Chinese view of the matter we might quote Chong Su See who says in his treatise; The Foreign Trade of China:

> Originating with the Treaty of Nanking in 1842, these ports were five in number; since then they have been largely increased. At some of these ports spaces are set aside as settlements or "reserved areas for residence," as at Shanghai, where the administration is in the hands of a foreign municipal council, but the power of issuing title-deeds is retained by China. At others, as at such important commercial centres as Tientsin and Hankow, there are several foreign concessions, each representing a different nationality and administered by a municipal council composed of representatives elected by the foreign taxpayers living in the concession or, in the absence of such a municipal council, by the consul of the grantee power for the exclusive benefit of his countrymen. In these foreign settlements or concessions Chinese subjects are allowed to reside, but the real estate within them is, as a rule, not open to Chinese ownership. Owing to the jealousy among the powers the tendency in recent years has been towards the separation rather than the amalgamation of concessions."

The United States has not regarded with favor the lease of Chinese territory, that is, the abrogation of Chinese sovereignty within China or on Chinese soil. Mr. Hay in 1899 stated:

> "The President of the United States in no case supported the application of a foreign power for a lease of Chinese territory; and the American minister at Peking was instructed to govern himself accordingly, remaining neutral."

It has been suggested at different times that the United States has neither sought nor ever held a concession or settlement in China. This is erroneous. A correct statement of the case would be that the United States has never seriously attempted to govern a concession, that in the instances of Shanghai and Tientsin, the American Concessions were eventually merged with the British, and that at Wenchow the United States had utterly neglected to police or in any way exercise her rights in the matter.

The American concession in Tientsin was laid out in 1869 and for some years was governed after a fashion by the United States. In 1880 however it was ceded back to China with the understanding that should the United States desire to establish suitable municipal regulations it would be within the right of the consular authorities to do so. In 1896 the Germans attempted to obtain this area as a German Concession but the United States protested vigorously. During the same year the United States relinquished all claims to the concession. In 1901, during the Boxer Incident the question of this concession arose again and Mr. Conger, the American Minister, made the following announcement of United States policy in a letter to Mr. Ragsdale, the American Consul at Tientsin:

> "As you are already fully aware, it is against the declared policy of our Government to in any way make the present military movement in China a pretext for seizing or obtaining territory; and it is for this reason that I have instructed you to make the protests which you have made against the seizures by other powers.
>
> But in order that we may prevent every possible place being occupied by others, so that if the Government desires to apply for a concession after order is restored, we may be able to reoccupy at least the small tract that was formerly the United States Concession, or, preferably, have it included in an International Settlement, and still be consistent with the position we have already taken, you may send the inclosed, in the form of a note from yourself, to each of your colleagues.
>
> If there is likely to be any doubt about the limits of the tract, you might, if necessary, set out the boundaries in addition to saying it is "known as the United States Concession."

On receipt of this instruction, Mr. Ragsdale served the following notice on the foreign

consuls at Tientsin relative to the preservation of the tract of land known as the United States Concession in Tientsin:

For the purpose of preserving the tract of land known as the United States Concession in Tientsin, to be with other tracts organized into an International Settlement if possible, but, if not, then at the proper time whenever it may legally be done, to be reoccupied as a United States Concession, the undersigned, by direction of the United States Legation at Peking hereby serves this formal notice of such intention on the part of his Government, and requests that it be in every way respected. No adverse seizure or occupancy of any part of this tract can be recognized or allowed."

All of the powers with the exception of Great Britain were unwilling to come to this arrangement and since the area was filling up with undesirable characters who were a menace to the peace of the entire community the United States proposed an arrangement with Great Britain concerning it. Meanwhile the Chinese authorities protested against the return of this area to the jurisdiction of the United States and offered another area, their principal reason being that several very important Chinese companies were situated there. The United States had no vital interest in the concession since no Americans were living there. To avoid any suspicion of making China's difficulties greater at so serious a time, the United States did not further press its claim in the matter.

The situation in Shanghai was quite different. Here the United States actually held a concession in Hongkew. Morse described it as follows:

"The American settlement was not created, but "just growed." Of the three American interests, the merchants continued, as at Canton, to cast in their lot with the English, and resorted to the English settlement; but the graving and repairing docks found their requirements best met on "the Hongkew side," across the Soochow Creek and down-river from the merchants quarter; and the Missions, while maintaining their chapels within the city walls, were forced to the outskirts of the settlement for the cheap land they needed for residences, and the American (Episcopal) Church Mission, under Bishop William J. Boone, went in 1848 to Hongkew. On the arrival of the first official consul of the United States in February 1854, he made his residence and raised his flag on the American settlement, on the western side of the Hongkew Creek, where it empties into the Hwangpu; but this settlement remained without organization or policing until after the great influx of refugees fleeing from the Taiping rebels; and its boundaries even were not delimited until its amalgamation with the English settlement.

The American settlement, Hongkew, lay outside these limits. In it were included only the premises of the American (Episcopal) Church mission, the Shanghai Dock, some wharves, and establishments catering for the entertainment of sailors. It was the Cinderella among the settlements, with small taxable resources to provide for the maintenance of order; and the effectiveness of the police control in the wealthy English settlement flooded Hongkew with disorderly characters, for whose supervision there was no proper machinery. We have no record of the number of Chinese living in Hongkew during the course of the rebellion; but at the beginning of 1865, after the great exodus of refugees returning to their homes, when the Chinese population of the English settlement had been reduced to 70,000 and of the French settlement to 47,000, there were still 20,000 in Hongkew. For the control of the large population indicated by the last figure there were in 1861 only six policemen. The Hongkew committee was forced to lean on its stronger neighbour, and on February 26th, 1862, while the Taiping forces were swarming around Shanghai, the Hongkew police was amalgamated with the municipal police, which thereafter exercised supervision on both sides of the Soochow Creek. The movement for one common government over the two settlements was pushed rapidly, the prime mover being Mr. Edward Cunningham of the firm of Russell & Co., strongly supported by Mr. George F. Seward, American consul. The proposal was brought before a meeting of land renters held on March 31st, and was passed unanimously, the chairman (the British consul) expressing the sense of the meeting in declaring that "our efficient police on this side made these limits too hot for the vicious characters found among our large population, who took refuge in that quarter, and it was but fair that we should at least take a share in the expense of keeping order in a locality disturbed by people whom we were instrumental in driving there." The proposal was then referred to the consuls, and was approved by the British, American and French; but the Russian consul, who, as a member of the American firm of Augustine Heard & Co., had signed the demand for amalgamation, while approving the consolidation of the two municipalities, "did not give his assent to the application of the Shanghai land regulations to the Hongkew side, inasmuch as he did not approve of those regulations." This opposition was overcome by the action of the diplomatic co-operative policy, and, the decision having been confirmed by a meeting of land renters held on September 21st, 1863, the international settlement of Shanghai north of the Yangkingpang was created.

Of such an origin was the International Settlement in Shanghai. Opposed to this idea were the French. They wanted to be alone. They even regarded their settlement as a colony and attempted to exercise jurisdiction over other foreigners there. Morse suggests that the reason behind French activity in this direction was "occasioned mainly by a (French) fear lest the unimportant French interests should be overshadowed by the predominance of British and American trade." The British consul protested against the organization of the French Municipal Council but the protest was disregarded. The American Consul wrote to the French Consul at the time:

"I..... frankly confess that a sense of duty compels me to refuse my assent to the step you have taken as being in direct contravention to the understanding among the three powers at the conference held on the 13th of January last, and ratified at the conference held on the 31st of May last..... In fact, sir, when we take into consideration the situation of the property belonging to foreigners here, mixed together in all conceivable ways, I do not see how separate concessions can be made in the Kiang Pilo settlement without great injustice to the citizens of at least two of the treaty powers."

The American Minister warned the Chinese that such a concession would be an impairment of American Treaty rights. Mr. Burlinghame wrote to Mr. Seward:

> "I never failed in my interviews to keep the non-concession doctrine before them (the Chinese authorities), because I had been made aware in Shanghai, by conversations with the British Consul, that he and the British residents supposed they had a *quasi* territorial concession at Shanghai over which they could maintain jurisdiction not only over British subjects, but over Chinese. This assumption led the French to make like claims, and the result was that there was a race, apparently, between the British and French local authorities as to which could secure the most. I brought the question, in many conversations, to the attention of the British and Russian Ministers, and, since his arrival, to the French Minister. I am happy to say that I found my views accorded with theirs, and that we are now, on this most important question, in perfect agreement; and this agreement is a guarantee of the territorial integrity of the Chinese Empire."

The United States functioned extraterritorially in China by treaty with China, but not by treaty or agreement with any other Power. The assumption of France therefore that within her concession in Shanghai Americans were subject to French law was held as subversive by the American government. Mr. Seward, the American Consul in Shanghai, stated America's case as follows:

> The treaties of foreign governments with China . . . provide for the complete removal of the citizens of these several countries from amenability to the government of China and authorize each government to extend an intercurrent jurisdiction over its respective nationalities. There is no treaty between the several foreign governments, or any of them, which grants to either or any of them jurisdiction of any kind over the citizens of another or other powers; nor is there any authority in the Chinese Government to grant such jurisdiction since it has already renounced in favor of the several nationalities, individually, all its natural powers over their respective citizens. It is manifest, then, that to form at any port a municipal establishment which shall be enabled to levy taxes and collect them at law, qualification of fundamental importance, it is indispensable that the authorities of the several nationalities shall concur in creating regulations having such intent and effect. The principle thus set forth has received general support. So long ago as 1854 a code of land regulations was framed by the Consuls of England, France, and the United States, then representing almost the whole of the foreign interests involved. They were approved by the ministers of those powers, and by the Chinese government through its local representative. They have received from time to time the sanction of the powers, and nothing should have remained but to improve and enlarge them as circumstances might demand."

The French eventually recognized that citizens of the United States residing and doing business within the French Concession were subject only to the extraterritorial arrangements between the United States and China, which in effect, means that in the French Concessions as in the International Settlement Americans live under American law and the jurisdiction of American authorities.

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The United States also had a concession in Wenchow, although I have not been able to find anywhere a statement to the effect that America ever took over territorial jurisdiction there. The agreement concerning this concession was signed on March 27,1877, between the Intendant Fang and the United States Consul at Ningpo, Edward C. Lord. It reads as follows:

> "Whereas arrangements have been made for opening for trade the port of Wen-chow; now, therefore, the said intendant and consul agreed to select a piece of ground lying outside of the east gate of the city, in the place called Choo Pah Poo, beginning at the east limit of the English concession and extending along the river 250 measures, (a measure is ten Chinese feet). and extending from the river to the distance of about ninety measures, for an American settlement, where American merchants may erect hongs, warehouses, and dwellings for their use. The grounds thus included may be temporarily used by their proprietors; but these proprietors may not lease, sell, or dispose of them to other parties, either Chinese or foreigners.
>
> When the consul shall have arrived at Wenchow and building sites shall be wanted, he, with the intendant or with the officer whom the intendant may detail, shall fix a fair price for them. The proprietors shall not demand a price too high nor shall American citizens insist on one too low. Both parties shall agree to what is fair. And when the price shall have been paid, the proprietors must give possession.
>
> When the consul shall have arrived at Wenchow, and the ground shall have been measured, it shall be permitted to put up stone landmarks, with the inscription cut on them, "The American Settlement." If any American merchant shall need ground for use, on application to his Consul, the Consul shall designate it for him, and he shall be allowed to rent and use it. Public roads, and all matters within the settlement, shall be under the control of the Consul.
>
> At present, on account of the rains, ground cannot be carefully measured; but the intendant will direct the local officer to make out a list of its proprietors, and to inform them that they may not rent or sell their grounds to others. As to the depth or shallowness of the river, accurate measurements have not yet been made, so it is not known whether steamers will be able to come in and anchor, or whether they will have to

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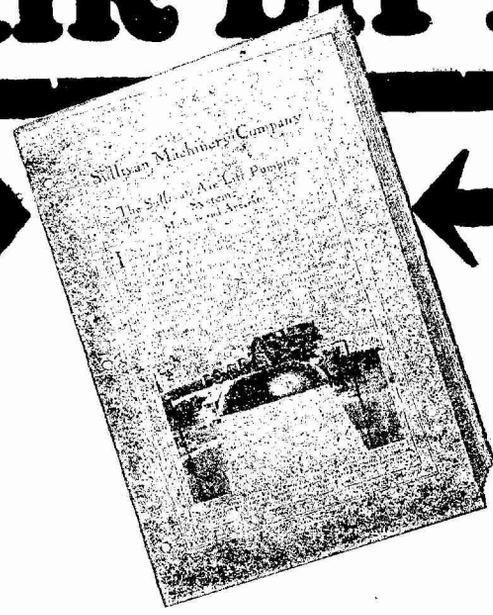

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anchor at Chwang Yuen Khean, at Poo-chow or at some other place. It may happen, therefore, that American merchants will wish to put up buildings at the place of anchorage elsewhere, In which case, notwithstanding this agreement, American citizens, in accordance with the twelfth article of the treaty made at Tientsin, will be allowed to rent grounds and erect buildings wherever they may choose. . . . Boundaries: On the north, the river; on the south, a line 90 measures from the river; on the west, the English settlement; on the east, a line 250 measures from said settlement."

It is fallacious to believe that America had no vital interest in obtaining concessions in China. Such an interest was apparent. But the possession even of jurisdiction over the territory of another nation was repugnant to the United States and against her traditions. Furthermore, the American system of government made it difficult to organize a concessional government since such activities would require an act of Congress and the confirmation of appointees by the Senate, which would be difficult to obtain.

Japan's Trade on Increase with U. S.

The value of the total trade with Japan during the year of 1922 was approximately G. $550,000,000 against G. $150,000,000 in 1913, according to an estimate of the National City Bank *Trade Record*. Merchandise from the United States formed 35 percent of the total imports of Japan in 1921 against only 17 percent in 1913, and merchandise sent to the United States from that country formed 39 percent of her exports in 1921 against 20 percent in 1913.

"Practically all of the increase in our imports from Japan occurs in raw silk while the increase on the export side includes a large number of manufactured articles. True, raw cotton is the biggest single item in our exports to Japan but the number of manufactured articles which that country now takes from the United States is steadily increasing and in a dozen or more of the important manufactures the figures of 1922 show an increase in value when compared with 1921, while in most cases the increase in quantity is much greater than that of mere value.

"Of refined copper the exports to Japan in the eleven months of the fiscal year of 1922 for which details are now available are over eleven million dollars in value against less than a half million in the same months of last year, while the quantity in 1922 is eighty-seven million pounds against less than one million in the preceding year. Of lumber the exports to Japan in the eleven months of 1922 are valued at eight and one-half million dollars against one and one-half million in the preceding year and the quantity 376,000 M feet against 45,000 M a year earlier. Steel sheets aggregate in value in 1922 approximately eighteen million dollars against about five million dollars last year, while the quantity in the eleven months of 1922 is 557,000,000 pounds against 72,000,000 in the same months of the preceding year. Zinc in the eleven months of 1922 is twelve million pounds against less than a half million last year. Other articles which show increases in value in 1922 as compared with the preceding year are sole leather, kid upper leather, gas and fuel oil, gasoline, paraffine, rosin, wire, raisins and curiously, rice, grown in the United States, for the first time appears in the official list of articles exported to Japan, one of the great rice-growing countries of the world.

Raw silk, silk manufactures, tea, rice, matting and toys are the principal articles which we import from Japan; while the exports to that country include raw cotton, tobacco, copper, lumber, leather, manufactures of iron and steel, mineral oil in its various forms, shoes, paper, tin plates, electrical apparatus, automobiles, musical instruments, sewing machines, typewriters, motion picture films and many other manufactured articles, indicating that we are paying in manufactures for a large proportion of the raw material which we bring from Japan.

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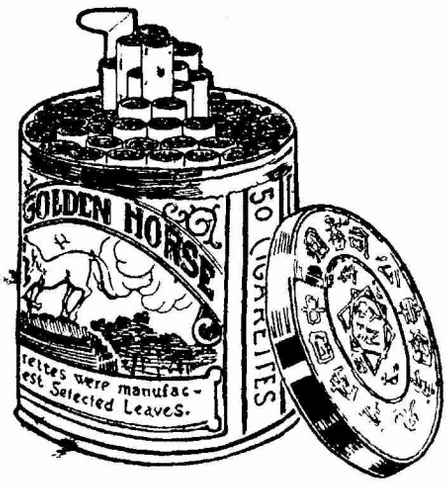

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22-088

Japanese Press Favors an Honest China Policy

BY JOHN HART

JAPANESE press opinion does not carry the same weight as in the United States or England, but at the same time it is about 80 percent correct as an index of what the people of Japan are thinking and of what they want. A glance through the editorials of a week as they appear in the Tokyo and Osaka press daily papers and monthly magazines shows that the old Japanese policy in China as represented by the Twenty-One Demands is not popular. Instead, there is the feeling that Tokyo must reverse her policy, that "honesty is the best policy." I do not mean to say for a moment that Japan has turned honest as regards China. It is asking the impossible to demand that in a nation where the conception of international and business honesty as known in the West has not been born, that these two virtues should spring into being overnight, that the Pacific Conference or any other institution should serve as the dawn which causes the lotus to burst into full bloom, revealing the Child Buddha in the heart of the Flower of Perfection. I do mean to say that in newspaper circles, and to a lesser extent in political party circles, and to a still lesser extent in official governmental circles, there has been born the conviction that "honesty is the best policy." For this reason the bulk of the Japanese press is urging Japan to pursue an honest policy in China, not necessarily because the editorial writers and newspaper proprietors are honest as regards China, but because they believe this policy will net them a greater profit over a period of years.

Perhaps the most striking recent example of this attitude comes not in the form of an editorial but of an interview given by Dr. Tokuzo Fukuda of Keio University, who has just returned to Japan after a three months' tour of Manchuria and Korea. "Japan," he is quoted as saying, "is not likely to make a blunder in Manchuria nor to incur the world's suspicion regarding territorial expansion if she always remembers that Manchuria is purely Chinese soil. One of the greatest illusions which this nation has seemed to possess is that Manchuria belongs to her. Korea is under the Japanese flag, but every inch of Manchuria is Chinese soil. Japan must return to China the Kwantung Leased Territory when the terms of the lease have expired."

It is a rather frank statement for a Japanese to say that his countrymen assume the attitude that Manchuria belongs to them. He has not sounded his warning for foreign consumption, but for his own people at home. It is always necessary to draw a distinction when a Japanese speaks with the idea that the world is listening to him. It is easy to confirm Dr. Fukuda's contention. A few days ago in discussing the forthcoming conference between Moscow and Japan, I asked a Japanese of high standing whether he believed the conference might be held in Peking. "No," he answered, "that is Chinese soil." He did, believe, however, that it might be held in Mukden or Harbin. "But isn't that just as much Chinese soil as Peking?" I asked. "No," he said slowly, "not just as much."

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22-090

Provinces that go to make up Manchuria, I happened to be in Tokyo. I did not expect the Foreign Office there to recognize or condone General Chang in any way, but I did expect a popular outburst on the part of the press, an outburst supporting the Mukden dictator, for Japan holds the belief that Chang is pro-Japanese. Past experience led me to believe that this would happen. But it did not. Instead, there was an almost universal condemnation of Chang's action as a further step in the dissolution of the Republic. When the *Japan Advertiser*, an American owned and edited newspaper in Tokyo, published an editorial containing the statement: "No Power would welcome an independent Manchuria, although there may be one Government which would welcome a Manchuria independent of China," and referred to earlier Japanese policy in Manchuria and Mongolia, the Yomiuri of Tokyo replied:

"Sundry surmises hazarded by foreigners in connection with the relations between Japan and Chang Tso-lin are not out of place. Monday's *Japan Advertiser* printed a remarkably disadvantageous leader to Japan in connection with the independence of Chang Tso-lin.——"Looking back in retrospect upon Japan's assistance to Papchap, the Mongol chief who rose against Yuan Shih-kai's monarchy scheme, her help of Ungern in his invasion of Kulun, the assistance she rendered to the anti-Bolsheviks in the Siberian Maritime Province, etc., etc., foreigners may well think that Japan will render similar support to Chang Tso-lin. This support which the Japanese military clique gave always ended fruitlessly and, if Chang counts upon Japan, he has made a serious error. We have had enough of schemes laid by the military clique. The government must recall at once the military advisers at the Tuchun's Yamen in Mukden and at the same time order the deposed Premier Liang Shih-yi to quit Japan at an early date."

The advisers have not been withdrawn, and Liang Shih-yi is still at a little coastal summer resort near the city of Kobe. But the point here is that the press of Japan, and to a large extent the public, is not backing up the government in such actions.

It is true that neither the press nor public opinion control in Japan, but it is also true that their influence and power are steadily growing. Party politics and party government is gaining ground rapidly in Japan. Party government can never control Japan until the Constitution of the Empire shall have been so revised that political parties can gain control of the House of Peers or that the House of Peers shall have been shorn of its present power. Nevertheless, in a country where the 'rickisha puller' reads a morning paper while waiting for a customer and where some of the great daily journals have a circulation of more than a half million, the press can not be as easily dismissed from any situation as it can in China. Public opinion and the press are two elements which must be taken into consideration in painting the whole picture, and the press of Japan is today in favor of an honest policy in China, an honest policy which it is hoped by the Japanese will gain for them the same goal that was the object of the earlier policy.

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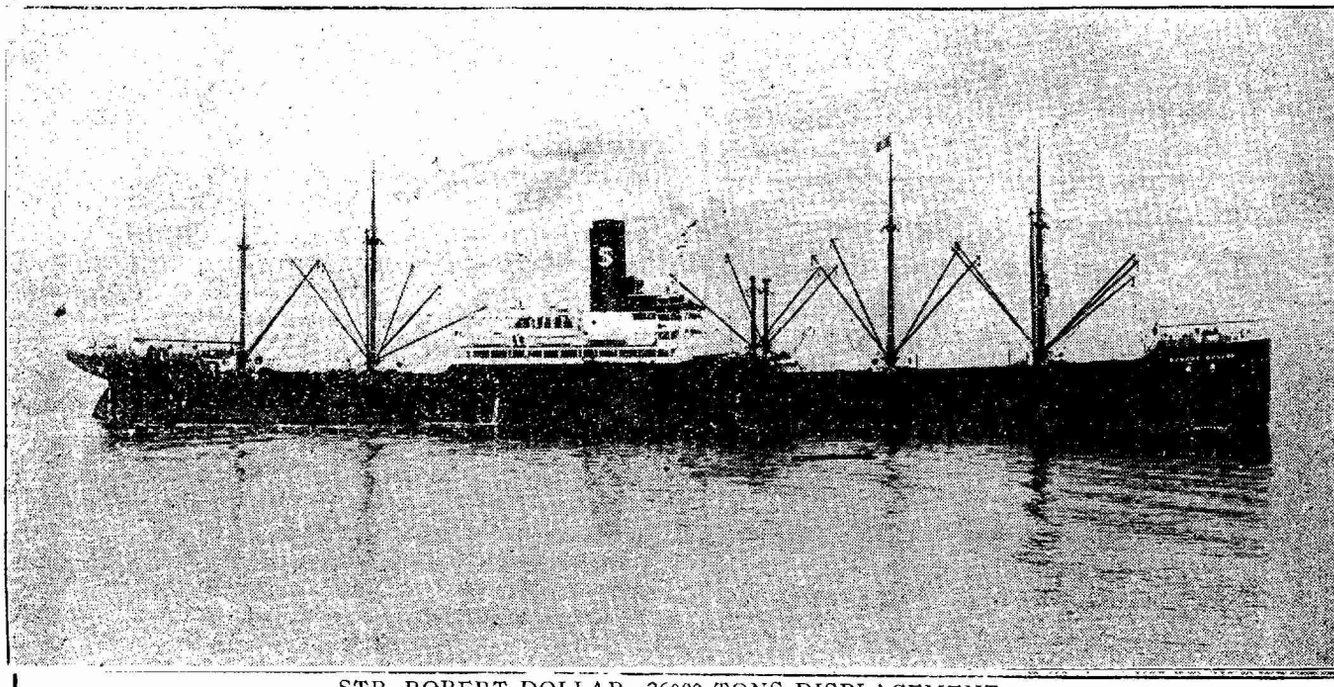

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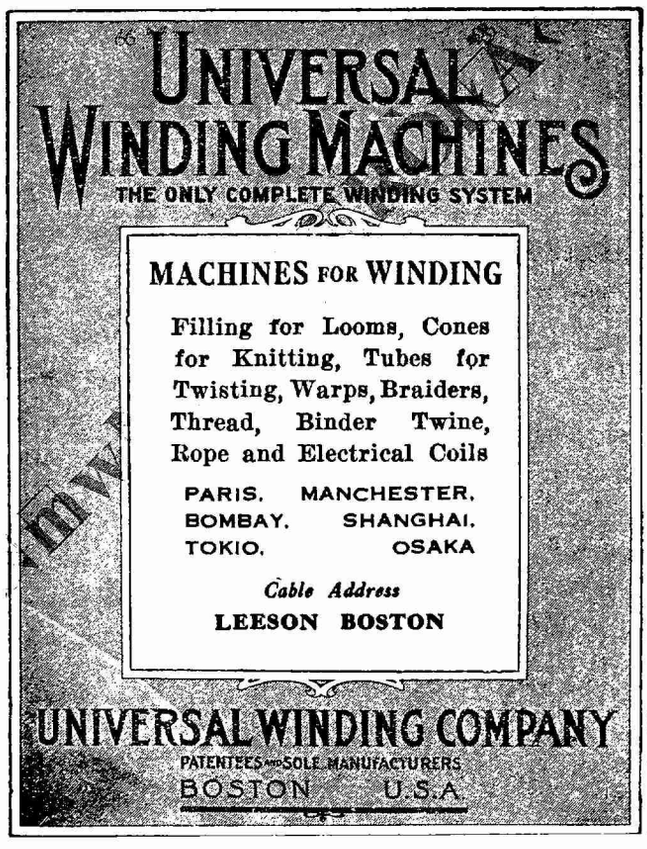

China's International Communications

BY JOHN EARL BAKER

(An advance paper prepared for the First Pan-Pacific Commercial Conference. Mr. Baker is Adviser, Minister of Communications, Peking.)

INTERNATIONAL communication makes possible a Pan-Pacific Union. The Pacific ocean is the communicating agency which puts in touch with each other all of the races of men represented in this Union.

But if the union is to be real, if it is to be effective, the ocean must be supplemented by other means of communication,—otherwise only those who "go down to the sea in ships" and those who live along the shores receive a contact with other peoples.

Island empires and coastal kingdoms can easily develop and maintain international interests, for the majority of their peoples live on or near the shores, but in a continental nation the reverse of this condition obtains, and as an inevitable consequence the bulk of such a nation's people have no interest in foreign affairs, and its statesmen accordingly are fearful of alliances and unions.

The most numerous people with a shore upon the Pacific are the Chinese. Yet China is essentially a continental nation. The value of China in a Pan-Pacific Union is measured in part by her 5,000 miles of coast line (including indentations), but the value of the 400,000,000 Chinese to such a union depends upon the effectiveness of the means by which the vast interior is kept in communication with the coast.

China possesses all the usual forms of internal communication,—rivers, lakes, canals, railways, highways, postal system, telegraphs, telephones, airplanes and wireless. Some of these are highly developed, others are either mere beginnings or deteriorating remnants.

Postal system: For example, China's postal system in most respects ranks with any in the world. It operates over ten thousand offices which together receive and deliver over a billion pieces of mail per annum. It has express registry and money order service, as well as parcel post. China was admitted to the Postal Conference in 1914 and her record during the intervening period has been such that all of the powers represented at the recent Washington Conference have agreed to withdraw the post offices which they now maintain in China not later than January 1, next,—in Postal matters leaving China in full occupation of her own territory. This is a new experience for modern China. With rates lower than those in the United States, the Chinese postal administration shows a profit of over a million dollars each year.

Telegraphs: China has fifty thousand miles of telegraph lines operated from 837 offices. This service connects all the provincial capitals and all the more important commercial centers. A code system makes it possible to send messages in foreign languages as well as in Chinese.

Telephone systems are to be found in all the larger cities, but long distance connections are set up only between Peking and Tientsin.

Wireless and aviation are in practice but only recently so.

So much for the communication of thought. Now for the communications which carry goods and peoples,—the waterways, the railways and the highways.

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Pres. Wilson, S'hai, Sept. 23 (105)
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From San Francisco & Los Angeles
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Pres. Jackson, S'hai, Oct. 8. (1)
Pres. Grant, S'hai, Oct. 22. (1)
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Consult the U. S. Shipping Board official in your port, or any U. S. Consular officer for further information. The U.S. Government and the people of the U. S. are interested in making this service a success. No effort and no expense has been spared to make it compete with the *very best.*

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Pres. Taft, S'hai, Oct. 3. (105)
Pres. Lincoln, S'hai, Oct. 15. (105)
Pres. Cleveland, S'hai, Nov. 4. (105)

For San Francisco
Via Japan Ports and Honolulu.
Pres. Cleveland, S'hai, Sept. 16 (105)
Pres. Wilson, S'hai, Oct. 7. (105)
Pres. Taft, S'hai, Oct. 17. (105)
Pres. Lincoln, S'hai, Oct. 28. (105)

For Seattle
Japan Ports and Victoria B. C.
Pres. McKinley, S'hai, Sept. 24 (1)
Pres. Grant, S'hai, Oct. 22. (1)
Pres. Jefferson, S'hai, Nov. 5. (1)
Pres. Madison, S'hai, Nov. 19. (1)

From Seattle
Manila via Hongkong.
Pres. Jackson, S'hai, Sept. 19. (1)
Pres. Grant, S'hai, Oct. 3. (1)
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(1) The Admiral Line
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(5) Struthers and Barry
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(10) Columbia Pacific Shipping Co.
6 Kiukiang Rd. (4th floor), S'hai, C 463
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SHANGHAI.

Rivers: China's interior is connected with its coast by rivers to about the same degree as the United States. Corresponding to the Mississippi system, is the Yangtsze navigable by battle cruisers some 600 miles from its mouth, and by gunboats 200 miles further west and 300 miles further south. The West river at Canton, the Hai Ho at Tientsin, the Liao at Newchwang, with their numerous branches serve important areas of lesser area, and have caused the location of those great centers of trade just named. The Yellow river, though 2,500 miles long and draining an area of 600,000 square miles, has varied its course so frequently that no large city has located on its banks, and no considerable ocean commerce is borne on its current. Yet a vast internal trade in small junks and on barges is served by the Yellow river, and more would be carried if certain rocks and rapids were removed or improved. The curse of Chinese rivers is silt. Conservancy commissions at all the important seaports are dealing with the task of keeping open the channels to the sea. But in the upper course of these rivers practically nothing is being done to aid navigation against low water, nor to protect the country from the ravages of high water. The greatest works in conservancy which the world has ever seen wait upon engineering skill and financial enterprise in China. Periodically, proposals are made that the remaining installments of the Boxer indemnity be returned to China for constructive purposes. No purpose would serve so many people by protecting their lives and at the same time giving them valuable commercial outlets as a program of river conservancy for interior China.

Canals: The canal system of China is without doubt the most extensive in the world. Two provinces, Chekiang and Kiangse, together are said to have 25,000 miles of such waterways. The country as a whole must have a canal mileage upwards of 100,000 miles. Rivers and creeks have been so extensively canalized as to lose their identity in hundreds of cases.

The Grand Canal extending from North to South 850 miles, is one of the great engineering works of history. The small canals are in a fairly good state of preservation, in spite of official neglect. This surprising result is purely accidental. Farmers alongside regularly clean out the channel, and spread the silt and muck upon their fields for its fertility. The larger canals are more subject to the havoc of floods and are in bad shape. The Grand Canal is badly interrupted: a contract has been made with an American firm for the rehabilitation of a portion of it, but for various reasons nothing has been done. At the beginning of its China Famine Relief activities in 1920 the American Red Cross offered to begin this work of rehabilitation, but was refused the opportunity. In view of the fact that the Red Cross subsequently built 850 miles of highway instead, those interested in the restoration of the Grand Canal probably overlooked the chance of a lifetime.

Lakes: The lakes of China are not numerous' deep, nor large. They are principally overflow basins from the larger rivers. The Tangting lake in Honan, near Changsha, is the largest with an area of 2,000 square miles, yet in high water seasons they extend water communications considerably.

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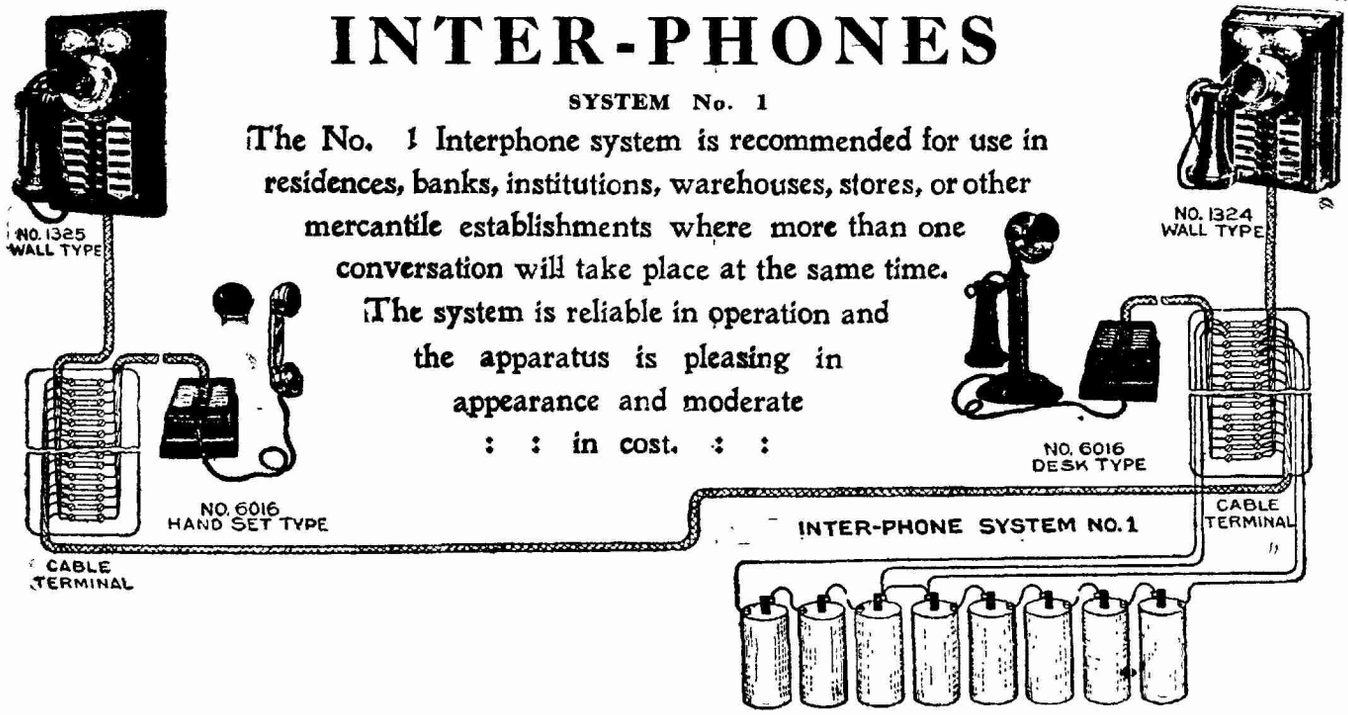

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Railways: Asia, like North America, appears destined to depend chiefly upon railroads for internal communications. The largest of the continents, it has vast areas untouched by water routes. The water basins communicate with each other only by the round-about slow and dangerous route of the sea. A few hundred miles inland occurs a series of mountain ranges over which water communications cannot be conducted. Because of this fact great quantities of food products sell for a song (and poor music at that) in the interior markets, while the simplest manufactured necessities are regarded as extravagant luxuries.

China contains only about 6,000 miles of railway in contrast to about 250,000 miles in the United States with a similar area. This disparity is often interpreted to mean not merely the present backwardness of China in rail communications but also a national disposition to despise the instruments of progress. In my judgment any one who bases serious plans upon the latter assumption, will overlook some of his best opportunities.

In 1811 the builder of the Puffing Billy demonstrated the practicability of locomotives. Yet it was 1826 before the Liverpool and Manchester was chartered by the British Parliament and 1840 before a railway was opened for business on the Continent of Europe—a lapse of fifteen years in one case and twenty-nine years in the other case. The first conclusive proof given to China of the superiority of Western strength was in 1860 when the Allied forces of French and English captured Peking. China was then ruled by the decaying Manchu dynasty, and was undergoing at that time the dreadful Taiping rebellion, yet in 1881 the first permanent track was laid in China and by 1887 the Imperial house had adopted railway construction as a definite program. China was as quick to take up the railroad as continental Europe.

The Imperial railway program was proceeding nicely when the war with Japan interposed a fatal interruption. The interruption was more than temporary, for two reasons. First, the indemnity exacted stripped the Imperial treasury of the funds out of which construction could proceed. Second, the ease with which Japan defeated China was interpreted to mean not so much the advantage of machine warfare over primitive methods, as the weakness of the patriotic impulse among Chinese. Then followed a decade of intrigue on the part of European nations for the opportunity of building railways in China,—intrigue which had for its sole motive (so European politicians and political writers averred) the obtaining of positions of vantage by which portions of the Chinese empire could be dominated as the sway of the Manchu ruler became progressively weaker. The first response on the part of Chinese to this European purpose was the Boxer insurrection, which resulted once again in demonstrating the helplessness of ancient methods when facing machine warfare and in stripping the Chinese government of its last cash resources for railway construction. From the close of the Boxer uprising passive resistance was the only weapon left to the Chinese people. Conscious of their military weakness and of the sinister designs of European financial statecraft, the only hope of preserving native political identity was to temporize, play one nation against another, and bargain for better terms until better political organization, and a better equipment of warlike machines could be obtained.

One other possibility offered. Although the Imperial treasury was empty, mercantile and

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STAR ADCRAFT

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LOUIS SHEN, *Assistant Manager*

22-098

provincial China was still wealthy,—as it is to this day. Merchants and provincial gentry attempted to step into the place of the Imperial railway adminstration, and out of private capital to build the lines which local commerce and military prudence required. But railway construction requires sums too vast for small groups of individuals to furnish. The corporate forms of organization was attempted, but ancient Chinese law never contemplated such a condition, and there was no way of holding financial trustees to close accountability. The result was very similar to what happened in the United States in its early decades of railway promoting, except that the scandals broke out before they became so large,—and before construction had accomplished anything. Although Chinese law has since been codified to cover corporate undertakings, this occurred so recently and the machinery for interpretation and enforcement is so new and untried that large construction by private capital is still virtually impossible.

Although the Russians, French and Germans extorted from China privileges of construction which amounted to invasions of Chinese sovereignty in the cases of the Chinese Eastern, the Yunnan, and the Shantung railways, the policy of passive resistance and bargaining forced the British and the Belgians to yield the final title in the property to China, in spite of the fact that the foreigner furnished all the money for the investment. The French and Russians got no more concessions under the Empire, and the Germans were forced to come to the Chinese terms on further contracts. Opposition to foreign railway contracts did not cease even after these desirable terms had been won, but after the Manchu house had been overthrown it subsided sufficiently for the new Republic to make contracts for nearly 8,000 miles. Before any work of consequence could be done, however, the European war caused the withdrawal of foreign capital and nothing substantial has been done upon any of the projects covered. Except for about 500 miles, the railways of China have the same length of line that the Empire yielded to the Republic.

(To be continued)

Comparative Law School to Open

Registration and entrance examinations marking the opening of the eighth year of The Comparative Law School of China, which is the law department of Soochow University, are scheduled for September 12 and 13. Class work will start on Thursday, September 14.

The following Shanghai lawyers will serve as instructors during the fall term: H. S. Foo, LL. B., Insurance and Personal Property; L. W. Hartigan, A. B., LL. B., Law of Trusts; Roland S. Haskell, LL. B., Criminal Law; Dr. S. M. Ho, J. D., Private Corporations: Dr. P. H. Lo, M. A., J. D., Law of Evidence; Judge N. E. Lurton, A. B., LL. B., Damages and Torts: Judge Charles S. Lobingier, Ph. D., LL. M., advisory member of faculty; Dr. H. C. Mei, B. S., LL. B., J. D., Contracts and Domestic Relations: Dr. D. S. Chen, LL. B., J. D., Jurisprudence, Bailments and Carriers, Constitutional Law and International Law; W. W. Blume, A. B., LL. B., Dean Roman Law, Case Study, Real Property, Pleading and Legal Ethics.

Dr. A. W. Swan, M. D., will serve as special instructor in Medical Jurisprudence, and Dr. R. Y. Lo, Ph. D., as special instructor in Comparative Religions. Margaret Blume, B. Lit., will also serve as instructor of religions.

It is expected that Prof. John W. Garner of the University of Illinois, who will be in China on his way to deliver the Tagore Lectures at Calcutta University, will deliver some lectures on International Law.

Enrolments so far indicate that there will be some fifty students in the first year class.

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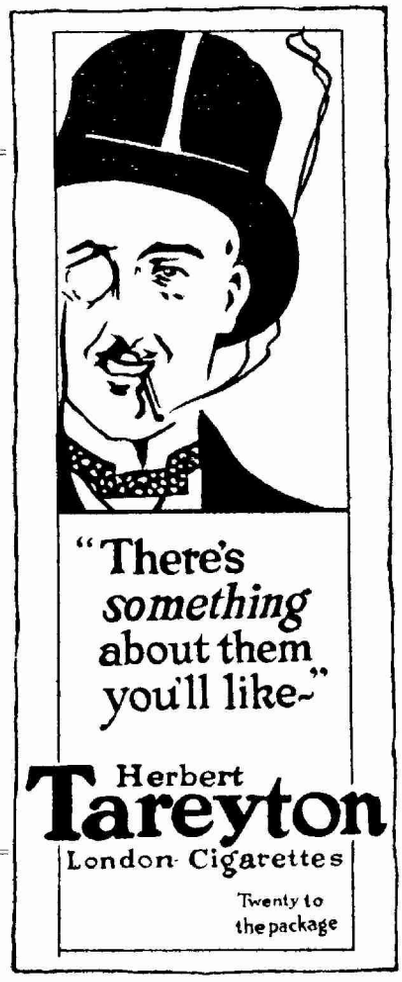

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22-100

Views In Review

(*Contributed*)

A sinking government can't float a loan without liquid assets.

They say Germany must move next——because she can't pay the rent.

If the Turks keep on, nothing will be left but a little spot of Greece.

Everybody is willing to help China on her feet, but who can carry her?

Democratic China is like the Democrats of America; can't elect a president.

The new Irish Free State opened its first national parliament without a fatality.

Capital wants to know whether the open door in China is an entrance or an exit.

Why should Russia be given more money when she can't use what she's got?

Peru has just discovered that the League of Nations is dead. Better late than never.

A conscientious objector now is the fellow who doesn't want to give the soldiers a bonus.

The reason Europe's financial market looks so cut up is because it has too many marks on it.

The same organization that helps Russians out of Turkey should keep the chickens in Russia.

A flapper is like a tree in autumn because her limbs are showing and she is not so green as she once was.

Talking about how America can lighten Britain's load, who would not try relieving her of a few million pounds?

With women sitting as judges and serving as jurors what chance has a henpecked husband to get alimony?

The man who went to a bank to solicit a loan in Russian roubles should have known he only would be borrowing trouble.

Why should the *Literary Digest* put everything it has to say about flappers' dresses in a department labeled "Topics in Brief"?

The Peking parliament soon is to have take a rest. After they have taken what they have they might as well take the rest.

"Money can be made in Russia," proclaims an investigator, but he didn't say a thing thousands of printers didn't know long ago.

Some people knock the *Literary Digest* for taking a prohibition poll, not that they think it is a dry story but because they object to a topic with a kick.

Fatty Arbuckle is quitting the Orient without coming to Shanghai. Probably somebody has warned him that China has old eggs and no chickens.

The Berlin bank that suffered a run due to a shortage of money when printers went on a strike might have saved itself by getting the draymen to strike too.

When Former Minister Reinsch said China could get loans if the people worked right, he really meant that if the Chinese want dough they must cut the loaf.

A lot of illicit liquor was found in a police raid here. Some newcomer has been tipping Shanghai people off to how the police help people back in the U. S. A. find their hooch.

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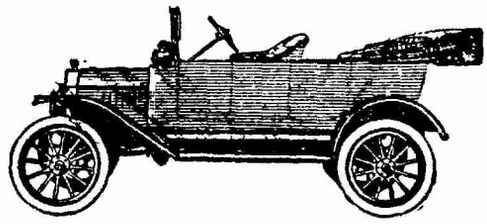

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Men and Events

A son was born to Mr. and Mrs. Walter H. Chen, on September 1, Shanghai. Mr. Chen is the only Chinese on the editorial staff of the *North China Daily News*.

George S. Hutchinson of Albert Dickinson and Company, Chicago, Ill., seedsmen, recently arrived in Shanghai on a business trip. Mr. Hutchinson was in the Orient several years ago.

Dr. Harold Loucks of Cleveland, Ohio, passed through Shanghai this week enroute to the Rockefeller Foundation at Peking, after several months spent in America on leave. He was formerly a member of the staff at Lakeside Hospital, in Clevelard.

E. M. McIntosh, engineer for the Goodyear Tire Company, who has been traveling in Australia, the Philippines, and South China, arrived in Shanghai last week. Mr. McIntosh plans to return to America after visiting Peking and North China.

Dr. R. T. Shields, a member of the faculty of Canton Christian College, returned from furlough on the *S.S. President McKinley*, on Wednesday, September 6. Dr. Shields has spent eighteen years in the Orient in educational work. He is accompanied by Mrs. Shields.

Word has been received by the American Chamber of Commerce in Shanghai, that D. J. Lewis, secretary of the chamber, will be able to resume his work on Monday, September 18. Mr. Lewis recently underwent an operation for mastoids at a hospital in Soochow, and has been confined to his home there for the past month.

Maurice Votaw of Columbia, Missouri, recently a member of the faculty at the universities of Colorado and Arkansas, arrived in Shanghai last week to become a member of the faculty at St. John's University. Mr. Votaw plans to carry on the work of the department of journalism, recently established. He is a graduate of the School of Journalism, of the University of Missouri.

Major E. B. Gregory, U.S.A., accompanied by Mrs. Gregory, is in Shanghai as a representative of the War Department to supervise the sale of supplies furnished by the United States War Department to the Siberia creameries, a cooperative concern, which was reported to be in business difficulties. Major Gregory spent five years in Manila and this last sea trip makes his seventh trans-Pacific voyage.

Among the persons arriving on the *s. s. Empress of Canada*, last week was Selden Spencer, Jr., son of Senator Seld en Spencer of Missouri, who was enroute to South China to engage in educational work for the Presbyterian Board. He was accompanied by Mrs. Spencer and three children and while in Shanghai they were the guests of Judge and Mrs. C. S. Lobingier. Mr. Spencer is a graduate of Johnson Hopkins University.

Among those arriving on the *President McKinley* on Wednesday, September 6, was Mrs. Leverett Bradley of Boston, noted American artist, better known in art circles as Susan H. Bradley. Although Mrs. Bradley is more than 70 years old she is an indefatigable worker and last year toured Italy, Spain and France. She is on her way to Peking to see the government museum and to tour China to obtain local color for work. She is accompanied by her son, Leverett Bradley, Jr.

The Pan-Pacific Association of Shanghai will celebrate the fortieth anniversary of the discovery of the Pacific Ocean, on Saturday, September 16, at the Carlton Cafe. at 12:15 o'clock. Representatives of the following Pacific countries will give five-minute speeches on the subject of Balboa Day: America, Australia, Canada, Indo-China, Japan, Java, Philippines, and Siberia. A brief talk will also be made by Admiral Tsai Ting-kan on the report of the goods movement. The election of directors for the ensuing year will take place. Yang Tcheng, will act as chairman of the meeting.

The German China News, registered as a newspaper, but issued in magazine form in German, Chinese and English, made its debut in Shanghai on Friday, September 8. Wolfgang Richter is its editor, and the purpose of the publication is best stated in his own editorial words: "The Germans, who after their deportation have come back (to China) in force, need a paper if only for our local news..... That the German industry needs an advertising medium in the Far East in order to better sell its goods is equally clear.....But last, not least. it is only by closer study of each other and better understanding in the future that the wave of hate which has engulfed the world for years, can gradually be overcome." The publication contains fifty pages, and is to be issued weekly with a guaranteed circulation of 3,000 in the Far East, America and Europe.

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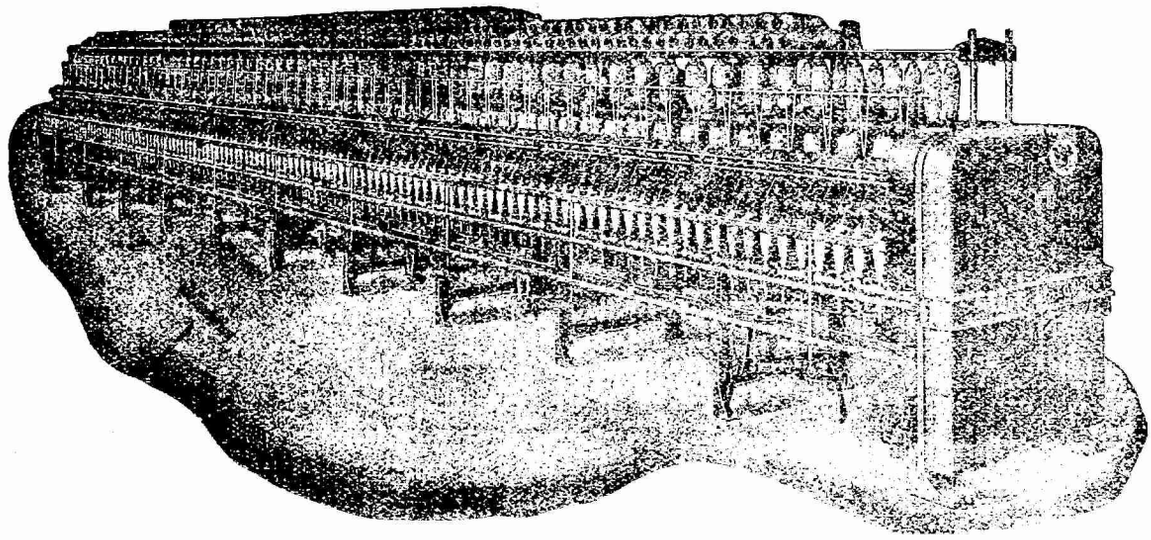

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The United States cutter *Mojave*, with assistant secretary of commerce, C. J. Huston, and party on board has been held up by the typhoon and the time of arrival in Shanghai is Friday evening, September 15. Preparations for the reception and entertainment of the delegation which is touring the Orient in the interests of American trade relations, are being made by Chinese and American commercial organizations here. A garden party has been planned by the Chamber in cooperation with Julean Arnold, American Commercial Attache, at his home, 114 Kiaochow Road, on Saturday afternoon, September 16. A committee from the chamber having the plans in charge, consists of B. C. Haile, V. G. Lyman, and P. P. Whitham. A dinner will be given by the chairman and committee of the Chinese General Chamber of Commerce at its building on North Honan Road on Saturday, September 16, at 7:30 o'clock.

News from South China

M. Johan Olof de Lilliehook has been recognized as Consul-General of Sweden, and Senor Don Eleodoro Rouillon, as Consul of Peru at Hongkong.

The Hongkong government is paying $1,000 as a relief to each family of the five Chinese shot by the British police during the seamen's strike last spring.

The government of Hongkong has made arrangements to send a further $50,000 to Swatow for relief purposes. Its previous donation was $10,000 and 50 tons of rice and other supplies.

Lu Men-fie, vice-speaker of the Kwangtung Provincial Assembly, was on August 27, ousted from the house for attempting to assault a fellow member with a weapon, at a committee meeting.

Butterfield & Swire's *S. S. Chihli* went ashore in Huitan Bay, near Amoy, August 25, and one of the Taikoo tugs left Hongkong the 28th for her assistance. *H. M. S. Magnolia* was also standing by.

Wan Ko, proprietor of a painter's shop at No. 30 Aberdeen Street, Hongkong, was shot and seriously wounded, on the afternoon of August 28 by one Wong Kun, because of a dispute relative to labor questions.

The Canton military authorities have ordered the Kwangtung-Samshui and the Kwangtung Yueh-Han Railroads with headquarters here in Canton to contribute $1,000 each daily towards the expenses of the local soldiery.

Frank W. Lee, commissioner of foreign affairs and superintendent of customs at Canton, will soon be replaced. Among those mentioned for his office is Dr. Lew Yuk-lin, sometimes acting Chinese minister at the Court of St. James.

Anti-Christian League activities are still noticed in some places in the interior of Kwangtung. In Kwungshan, Nanhai, an anti-Christian league was formed the latter part of August. The movement, however, is very weak at present in Canton City proper.

An effort is being made in Canton to station all troops outside the city limit to prevent further lawlessness against women and property. The police will be trained to handle arms more efficiently so as to be able to handle riots and mob disturbance, if necessary,

Chan Chik Yu, provisional civil governor of Kwangtung, was inaugurated September 5. The public was indifferent, knowing he is simply executing the program of the militarists; and some would not express an opinion, fearing a possible "come back" of the Sun Yat-sen party.

Coal carriers in Canton are now on strike demanding higher wages and better conditions. So far transportation is not being affected and the government declines to interfere, leaving the whole question to the laborers and their employers. This is the only strike in Canton at present.

Canton city improvement is meeting a difficult problem. In the opening of modern roads in the western section of the city, it is being found that this part is much lower than the rest and considerable filling in is necessary. As every inch of land, has been already built, and some for years, the task is hard to undertake.

Excessive rain in Canton and vicinity last week, a total of 9.85 inches between August 30 and September 5 in Canton alone, is causing over-floods in the principal rivers of Canton delta. Much damage to the rice crops is being reported. Unless further damage is done, no serious outcome is expected. Many villages along the East River were inundated last week.

Admiral Sah Chen-ping is communicating with the members of the Chinese Navy now in Canton waters for their return of allegiance to the central government in Peking. It is not believed that the Chinese Navy here will

formally announce its return northward until reunification is assured. So far the Navy is still being supported by Kwangtung.

Some anxiety was created in Canton early in September when many of the militarist leaders who had taken part in the mutiny for General Chen Chiung-ming against Dr. Sun Yat-sen tendered their resignations. The public is being assured that their action has nothing to do with dissatisfaction over appointments and division of spoils as the press has intimated.

Kwangsi militarists favorable to General Chen Chiung-ming have joined the Cantonese militarists in requesting him to resume the command of the Cantonese army. It is understood that General Chen will formally resume command of the situation under his own name instead of simply being a dictator of Liang (two) Kwang political and military affairs after September 1.

Dr. Sun Yat-sen's followers are still active and somewhat powerful in Kwangsi; and in order to check an advance toward Kwangtung, Colonel Kwan Kuo-hsiung has been ordered up the West River to prevent entrance of non-Cantonese forces. Kaochow, one of the larger cities loyal to Dr. Sun, has fallen into the hands of the Cantonese Army, according to government source.

The Hongkong Football Association, at a meeting held August 28, elected the following officers for the ensuing year: president, R. J. Wilton; vice-presidents, Douglas Hamilton and W. H. Thornton; councillors, Lt.-Comdr. Larkham, G. J. Jones, and F. Smith; hon. secretary-treasurer, R. W. James; referees board, J. McCubbin, Hollands, Newton, Smith, Williams, and May (hon. secretary).

Upon objection of the waiters union of Canton the local police authorities will soon prohibit the employment of waitresses in restaurants and tea houses. In the days of the Young China party here, which have come to an abrupt end with the departure of Dr. Sun Yat-sen, women workers could not be discriminated against. The return of old forces, however, will impede the progress of women's rights in the South for a time.

Senator Liang Pui, a member of the National Assembly from Kwangsi, while on his way from Nanning to Canton for departure for Peking about the middle of August, was assassinated on board a local junk, according to a Canton press report. He was put to death by a secret order from a militarist enemy, it is believed. Since the outbreak of the last local war here piracy and other outrages along the rivers are common.

Civil Governor Ma Chun-wu of Kwangsi has announced that he will direct the affairs of his province in Wuchow for the time being. The regular capital, Nanning, is now controlled by militarists who are not at all friendly to the governor. Lu Yung-ting, a former governor of Kwangsi, has recently returned to Kwangsi aiming to reestablish his power there. Lu was forced to leave Kwangsi last summer by Cantonese troops.

Chan Chik Yu, provisional civil governor of Kwangtung pending a regular appointment from Peking after the reunification, will probably assume office on or after September 1, after which date General Chen Chiung-ming may return to Waichow for a real vacation. As Mr. Chan has been nominated by General Chen, for whom he is really acting in civil affairs, very little comment is being made by the local press regarding the appointment.

From September 15 the Hongkong and Shanghai Bank in Canton will accept Canton government banknotes for deposit in sums of $100 up with interest at 5 or 6 percent, according to term of three or six months. This is expected to maintain the present worth of the notes, at least. Since the mutiny in Canton, June 16, last, the notes have never gone above 80 percent. The government will pay the bank 2 percent interest for accepting these notes from the public for deposit.

All public schools in Canton proper will reopen for the fall term beginning September 1. The city board of education has added a normal school and an industrial school this year to the public school system of Canton. During the absence of superintendent Hsu Tsung-ching of education from Canton, Chief Wang Jen-kang of the schools section of the board will act as superintendent Cantonese dialect will be still used as medium of instruction until next fall, when all children will be taught the Pekinese or national dialect.

The inquiry into the death of a Chinese paint-scraper who met his death on August 17, on board British submarine L. 8, now lying at the Hongkong naval yard, was concluded September 1, and the jury returned a verdict of accidental death due to misadventure. The jury, however, wish to put on record their view that this fatal accident arises out of negligence on the part of some person in the naval yard, and inasmuch as foul tanks are virtual death-traps, the tank which deceased entered should not have been accessible until it had been certified to be free from gas.

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Tang Chik-yi, dean of the Canton government agricultural college and director of the experiment station, has ordered all the members of his staff to resume work, also sending out special agents to study and report on local agricultural conditions throughout the province. The recent military operations around the city proper have interfered with the progress of the institution considerably. Mr. Tang is a graduate of the University of Wisconsin and has been head of the local institutions several years. The militarists are still insisting in using a part of the buildings of the school and station as headquarters.

Something taking place but escaping notice in Canton is the gradual increase in primary education of women teachers. The fall term opening of schools early September saw young women occupying all seats of instruction, including the principal offices, in practically every public lower primary school managed by the city board of education. Most of these teachers are graduates of Canton Government Normal School for girls. In each lower primary school, there is one teacher for every class with a principal to supervise all the work and school administration and a special teacher for the Mandarin dialect, art, manual and physical trainings.

Macao Portuguese authorities are employing every means to induce the Chinese firms there to resume their trade, at least keep their shops open. Boycott promoters, however, are threatening to destroy all shops yielding to the Portuguese demand. It may be recalled that last May several scores of Chinese were killed or wounded when the Macao police fired on a crowd of Chinese demanding the release of one who was arrested for assaulting an African soldier under Portuguese employ and that many Chinese suspended their business and withdrew from the port as a protest. The Chinese claimed that the African was not assaulted but prevented from committing a criminal attack on a helpless Chinese girl.

The Chinese laborers in Macao, on strike as a protest against the indiscriminate killing of more than forty Chinese by Portuguese authorities May 31 last, will return to normal order, provided that the Macao Government will submit to their demands. The Chinese laborers' demands include; the Macao authorities shall no longer regard the laborers as a mob; all labor organizations will be restored to their former power; $5,000 shall paid to the woman by the Macao Government for allowing its police to insult her; $5,000 shall be paid to each of the persons wounded fatally, and $1,000,

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to those injured; Portuguese authorities shall publicly welcome the return of Chinese laborers and assure them that no laborer may hereafter be arrested without due process of law.

H. W.

Canton, September 6, 1922.

The Week in the Far East

(Covering the period from Wednesday, September 6, to Wednesday, September 13.)

The inauguration into office of the new Civil Governor of Kwangtung, Chan Chik-yu, at Canton, and the opening of the important conference of Changchun between Japan and the Far Eastern Republic, seems to be the outstanding news of importance during the week under review. The usual rumors of war around the Capital between the Southern, Hupeh, and Manchuria leaders, are current, with no definite understanding reached as to who is the real leader of the Central government today. On Saturday, September 9, President Li issued four mandates, in which he intends to call a national conference to meet at Peking within a short in time, which he hopes to solve some of the present political poblems, asking Chang Tso-lin to restore the rolling stock of the Peking Mukden Railway which he still hasin his possession.

According to the *Reuter's Service* the four mandates issued by president Li, were as follows:

"(1) Calling a financial conference to meet at Peking to decide upon ways and means for putting China's finances in order. The conference will be attended by representatives of various government Departments and the provincial authorities. No date has yet been fixed; (2) Prohibiting groups of officials from demanding payment of salaries. This Mandate instructs the Ministry of Finance to ascertain the exact amounts owing to the various departments and make payment as soon as possible. Officials who disobey this order regarding group action are to be severely punished; (3) Prohibiting the issue of free passes for railway traveling, and ordering the cancellation of those already in use. It is stated that the losses due to passes and "half-passes" amount to $2,000,000 a year. Upwards of 4,000 have been issued. The passes held by the Presidential staff have already been cancelled.

"A fourth Mandate says that since the Peking-Hankow Railway is again working normally all the rolling stock at Fengtien should immediately be restored."

According to a message from Kaifeng with regard to the present political situation in North China, war is said to be imminent, as Chang Tso-lin's opposition to Tsao Kun as vice-president will inevitably lead to a clash with Wu Pei-fu. A civil war between the Fengtien and Chihli troops might come at any-time and the chief cause is due to the fact that Chang Tso-lin will not uphold the election of Sun Yat-sen to the presidential chair with Marshal Tsao-Kun, as vice-president, while Wu Pei-fu will take up the discarded mantle of Tsao Kun as High Inspecting Commissioner of Chihli, Shangtung, and Honan and sole chief of the Chihli army.

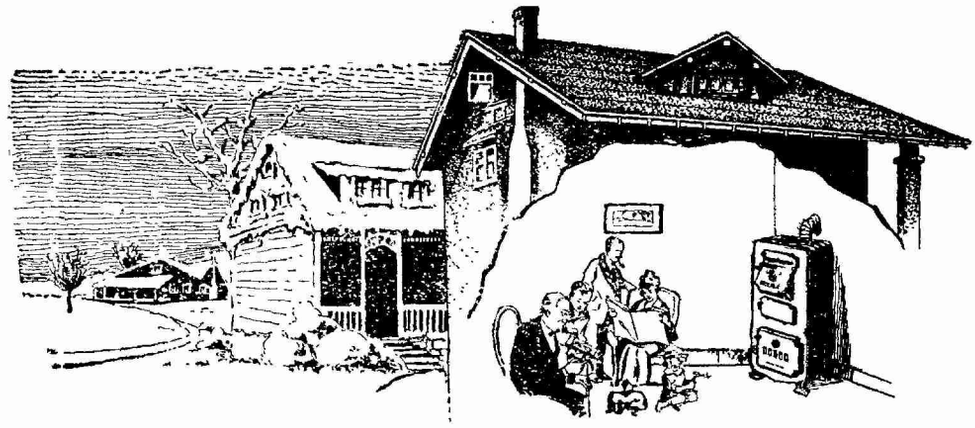
The *Asiatic News Agency* reports "Little Hsu" as sending the following message to Wu Pei-fu, about the same subject:

"Little Hsu" or former General Hsu Shu-cheng, who is now still in Shanghai, has actually written to Wu Pei-fu, denouncing Tsao Kun, in spite of his present high position and army corps, as a useless man. "Little Hsu" believes that if Wu Pei-fu is really anxious for the reunification of China without personal privileges in view, he should support the "election" of Dr. Sun and Marshal Tuan to the posts of President and vice-President respectively, otherwise he would find his position untenable and uneasy in the not distant future. "Little Hsu" praises Wu Pei-fu as a good fighter in a group civil war in China; but with regard to politics, he will not flatter him because he possesses neither administrative nor executive experience."

Chang Ying-hua, vice-minister of the Ministry of Finance seems to be the only one inclined toward optimism when considering the political situation in China today:

"Looking toward reunification and a stable government, the political situation is brighter today than it has been in a long time. Give me a small sum of money, say $5,000,000 and in three or four months I think I can promise a really basic financial system which will not have to depend on loans. Upon being asked to explain his position, Minister Chang, said he deemed it very unwise to have a large sum of money on hand, because it appealed to the less scrupulous and the administration should just have enough on hand to keep it going. The lack of constructive measures, is the chief cause of the downfall of other Ministers of Finance, said Minister Chang.

The main question discussed at the opening of the Changchun conference is "Will signing a commercial agreement



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with the joint delegation representing Soviet Russia and the Far Eastern Republic be tantamount to a *de facto* recognition of the former?" This question seems to be causing the Japanese quite a bit of concern. Japan is eager to obtain from Russia, an assurance of the protection of the lives and property of Japanese residents and permitting Japanese investments in the resources of Siberia, such as in mines, timber and commerce. The Far Eastern Republic without the countersignature of Soviet Russia can hardly sign any agreement with any nation. Japan in return for this agreement will take away all troops, turn over the more than three hundred thousand explosives and other war material at Vladvivostok, and open up the fisheries question. The first meeting adjourned while Chita and Moscow consulted, when Tokio stated she was unwilling to include Moscow in her parley.

According to the *Chung Mei News Service*, negotiations are under way in South China for a $10,000,000 loan from one of the local banks, which will be the dawn of a new day for Canton. The despatch read as follows:

"Negotiations are now under way between Chang Shouliu, brother of the new Civil Governor of Kwangtung, and a local bank for a loan of $10,000,000 to the provincial government of Kwangtung The proposed security for this loan is said to be the revenues from the likin and the Wine and Tobacco Taxes, and also certain mining taxes. The term is to be twenty-five years.

"It is further stated that there is some slight difference of opinion among the parties concerned over portions of the terms but on the whole it is considered highly probable that the negotiations will come off successfully and the loan will be negotiated.

"The money will be used for the reorganization of the military establishment and the bolstering up of the paper money which has been issued by the Kwangtung government."

The Provincial Bank at Canton is again about to be opened, and all former business resumed. The Governor of the bank, after his assumption of duty, sent for the managers of the institution, and a consultation was held regarding the redemption of the Kwangtung Provincial Notes, which it is likely will be restored. For the past five months the value of the provincial notes has been as low as fifty and sixty percent and no particular plan has been carried out to bring them to their par value.

Tang Shao-yi, in a recent personal letter, according to the *Canton Times*, has said he is not keen on the formation of the Cabinet at present, for the chief reason that peace has not been established. The best method to save the country is by educating the citizens. He has established recently a school in Canton which is to have special attention.

The *Peking and Tientsin Times* had the following comment on the trouble still prevailing about the Civil Governor ship of Hupeh province:

"The Hupeh Civil Governorship remains a bone of contention between Loyang and the Hupeh militarists, the latter supported by President Li Yuan-hung. Admiral Tang Hsiang-ming is still lingering in Hankow and Tuchun Hsiao Yao-nan holds to the post concurrently, showing no signs of relinquishment. All efforts at mediation have failed thus far. Admiral Tang, who was appointed to the office by the President but who was not permitted to take office, wired to the President yesterday reporting that Tuchun Hsiao shows no signs of yielding and asking permission to return to Peking. What President Li has replied is not known for certain, one report stating that he told Tang to remain in Hankow and await developments while another says he told Tang to tender his resignations as further argument over the post was hopeless."

A state of unrest prevails in Manchuria due to the brigands which keep the inhabitants of that particular district in a state of nervousness and alarm. The Russian employees of the Chinese Eastern Railway are constantly on the defensive on account of unsettled conditions. A Harbin report states that the travelers who have recently arrived from Russia express that train service from Chita to Moscow is up to par with the old trans-Siberian days. The train cars are elegantly outfitted with perfect accommodations.

Much interest is manifested in Harbin when *Dalta* accuses some of the papers of making untrue reports and sending out propaganda with increased frequency lately, all alleged to have come through by wireless from Berlin and Nauen. *Dalta* wishes to have this straightened out so the same thing will not be repeated at the Changchun conference, as at the conferences of the Hague and at Genoa.

Japan seems to concentrate her attention during the week under review on the dissolution of the Kokumintong party, and the Changchun conference. A deadlock was reached immediately after opening the conference, when Tokio would not consider Moscow's entering into the parley, and the

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Far Eastern republic would not consider her signature to any agreement without the signature of Soviet Russia. The *Chugai Shogyo* commented on the opening day of the conference:

"The first meeting of the Japanese and Russian delegates at Changchun lasted five hours and at this meeting the Russian delegates behaved rudely. It is highly regrettable that despite the very sincere and moderate attitude Japan has always adopted Russia does not abandon, her rude and insincere behavior. Now that the Changchun conference is formally called, it is Japan's earnest desire that it should be brought to a successful termination, but if the Russian delegates persist in their unreasonable attitude and show lack of conciliatory spirit it is advisable for the Japanese delegates to withdraw from the conference.

"We are by no means wedded to formality, but we think it only proper that some careful attention should be paid to the question of the status of the delegates of the Soviet Government. Needless to say, the Chita Government is the party with which the Japanese government proposes to deal principally. The reason the Soviet Government was permitted to participate was because it would contribute to the smooth progress of the conference. We are not, of course, blind to the fact that the Chita Government is inseparably bound up with the Moscow government, but we also know that the Chita Government is not a local office of the Moscow Government. It is the Government of an independent state called the Far Eastern Republic. We cannot therefore easily accept the assertion made by Mr. Yoffe, the delegate of the Soviet Government, that he is head not only of the Soviet delegation but also of that of the Chita Government. If this is really the case, the nature of the conference will be completely changed, and the recognition of Mr. Yoffe as the head of the Moscow and Chita delegations will be tantamount to the recognition of Soviet Russia by Japan. We are not absolutely opposed to the recognition of the Soviet Government, but in international negotiations it is important that the status of the participants should be clearly defined, as otherwise the establishment of really stable international relations can not result from such negotiations. Japan must be ready to make such concessions as she can, but there is no reason why she should allow herself to be forced into acquiescence in unreasonable demands."

GENERAL NEWS SUMMARY

September 6. London dispatch says final decision in case of the *s. s. Egypt* disaster is that the officers of the steamer are held responsible.——Smyrna dispatch says Turkish advance continues along front line and Greeks are, fighting while villages in the interior are being burned.——Washington report says Agriculture department estimates that boll weevil prevented production of 627.000 bales of cotton last year valued at G.$610,000,000, which is a record destruction. London report says De Valera, famous Irish leader, is dangerously ill with pneumonia.

September 7. President Harding at Washington expresses himself as being agreeable to Germany's proposed moratorium, renewal of Russia' s loan, and temporary cancellation of Europe's war debt.——It is generally reported that the Greek army's defeat is almost complete and nothing can prevent a thorough debacle.

September 8. Paris dispatch announces that Turks are to be reasonable in spite of general rout of the Greeks and there will be no fresh claims on territory to be made.——Earl Balfour, English leader, heads list of vice-presidents elected to Assembly of League of Nations.——Number of unemployed in France amounts to 1,331,000, which is 492,000 less than at beginning of January.

September 9. Paris dispatch announces the resignation of Greek government and victors are now on way to Smyrna. with head of Greek armies captured.——The British close their post offices in China on November 30, in accordance with the Washington Conference decision.

September 10. London dispatch says latest messages from Turks say they are advancing on to Smyrna, but Greeks want London and Paris to call conference, suggesting Venice as meeting place to find basis for peace.——Large crowds besiege the Reichsbank trying to cash checks, in consequence of a shortage of notes, which is partly due to printer's strike.

September 11. London newspapers fear a possible Balkan crisis as Turkey's big victory may give powers a new problem.——Washington report says Mrs. Harding, wife of President Harding, is seriously ill.——London report says Federation of Master Cotton Spinner's has decided to take vote on shorter hours.——London dispatch says failure of Belgo-German negotiations has not been taken tragically in Berlin, partly, no doubt, owing to the prospect of an early assumption.

Weekly Cotton Market Report

By A. B. Rosenfeld & Son

China Cotton:—Since writing our last week's report the market has been keeping steady, due principally to the covering of shorts in the early positions. The New Crop months have sympathized to some extent but without bringing about any increase in general business, the transactions being principally among professionals.

As to the new crop we think that although we have had a typhoon and little more rain than necessary, still if it clears up within the next fortnight, the results will be more than hopeful.

From the above, it will be seen that whatever views are entertained as to the ultimate course of prices, a conservative policy appears to be desirable for the immediate future. The situation cont inues to be governed by the progress of the crops, which will be the chief basis for important price changes from now on.

Yarn—We have had another featureless week in the yarn market, the general tendency slightly downward, but the net result only two taels in favor of the bears. At the close, prices recovered, some one tael, due to the shorts covering. In our opinion, as soon as the crops have had the farmer's attention, a brisk revival in trade is looked forward to.

Liverpool, September 7, 1922.

Liverpool Market:—

Middling American, Spot	12.60	Pence
" " October	12.06	"
" " January	11.88	"

Market:—*Steady.*

New York, September 7, 1922.

New York Market:—

October	21.00	Cents
December	21.25	"
January	21.11	"
March	21.21	"
May	21.15	"
Spot	21.25	"

Market:—*Steady.*

Bombay, September 7, 1922.

Bombay Market:—

Broach, F. G. April/May	Rps. 471	per	Khandy,
Fully Good Bengal, Dec/Jan	" 345	"	"
Fine Oomra, Sept	" 486	"	"

Market:—*Steady.*

Shanghai Market:—

Tungchow, November/December/January	Tls.	29.50
Shanghai, November/December	"	28.50
Meginned, November/December	"	28.50
Taichong, November/December	"	29.00
Xingpo, Spot	"	31.00

Market:—*Steady.*

British Expansion

A Short History of British Expansion, by James A. Williamson. London: Macmillan and Company: 1922.

"Short" is a word of comparative meaning. Unquestionably a book of 650 pages is not unpardonable to recount so vast a subject as British expansion from the dawn of history to the present day. Still, to the person casually interested in the subject, the volume cannot be termed "brief." In other words, the book will not appeal strongly to the average reader, even one prefering facts to fiction; but to students, the work itself, together with the copious citation of original sources and references, should take its place as the last word on the subject, for some time to come.

The author writes in clear, unpretentious style, and the book is full of anecdotes of interest not found in the text of the ordinary historian. The facts are treated with utmost impartiality, thus making the book adaptable as text wherever the English language is read.

Shanghai Exchange for Week Ending Wednesday, September 6th, 1922.

By Maitland, Fearon and Brand

Exchange:—The London price of silver has advanced during the past week from 35⅛d. to 35⅝d. for both ready and forward, for the first part of the week the market was reported as featureless but latterly India is said to have been in the market Locally exchange has followed the course of silver and the T/T rate on London has moved from 3/5⅛d to 3/5⅜d The tone of our market throughout has been steady and at times even firm, but again speculators have been the chief cause of support. Business has been doing above official quotations, 3/6d being offered for near delivery and ⅛d. better for November/December, the forward premium being due to abundance of cash. There was a fair demand from importers at 3/6d yesterday, but this was counteracted by speculative sales and a few Bills and no weakening of the market occurred. At the close, however, an easier tone prevails and nothing above current rates is offering for sterling for near delivery, and ⅛d. over forward. Exports still remain quiet.

Our stocks of silver are reported as follows:—

Sycee and Bar Silver ..... Tls. 41,244,000 an increase of Tls. 594,000.

Chinese and Mexican Dollars ..... $ 34,390,000 an increase of $ 460,000.

Estimated value Tls. 66,005,000 as against Tls. 46,500,000 held at this time last year.

†	Average rates for August	Thurs. Aug. 31	Friday Sept. 1	Sat. Sept. 2	Mon. Sept. 4	Tuesday Sept. 5	Wed. Sept. 6
Bk's selling rates		*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*
T/T London	3/5.—	3/5¼	3/5¼	3/5⅛	3/5⅛	3/5⅜	3/5⅜
D/Dfts. "	—	3/5⅜	3/5⅜	3/5⅜	3/5⅜	3/5⅞	3/5⅞
4m/s "	—	3/5⅛	3/5⅛	3/5¼	3/5¼	3/6	3/6
T/T India	261.788	264	265½	266½	264½	266½	266½
T/T France	959.231	1000	1005	995	985	1000	1000
T/T N. Y.	76.298	76¾	76¼	77¼	77⅛	77¾	77¼
T/T H'kong	75.269	74¼	74¼	74¼	74¼	74¼	74½
T/T Japan	63.010	62¾	62¾	62½	62¼	61¾	61¾
T/T Batavia	199.135	199½	199½	200½	200½	201½	201½
T/T Straits	68.413	68	68	67½	67½	67	67
Bk's buying rates							
4m/s B/L. Cred, D/A	3/7.481	3/7¼	3/7¼	3/8	3/8	3/8¼	3/8¼
4m/s " D/P	—	3/8	3/8	3/8¼	3/8¼	3/8⅛	3/8⅛
6m/s " D/A	3/7.981	3/8¼	3/8¼	3/8½	3/8½	3/8¾	3/8¾
4m/s B/F. C., D/A, D/P	1,009.231	1050	1055	1045	1035	1050	1050
4m/s N.Y. Lc.	80.298	80¾	80¾	81¼	81⅛	81¾	81¾
4m/s " Docs	—	81¼	81¼	81¾	82	82¼	82¼

†Based on Daily Official quotation, higher rate taken on rising Market, lower when falling. Bullion.	Aug. 31	Sept. 1	Sept. 2	Sept. 4	Sept. 5	Sept 6
*London Price of Bar Silver per oz. (English Standard 925 touch) Pence.	35⅛	35⅛	35¼	35¼	35½	35⅝
**N.Y. Price of Bar Silver per oz. (Pure)	G. $.69⅝	G. $.69⅝	G. $. 69⅝	G. $. 69⅝	G. $. 70	G. $. .70¼
Shanghai Price of Gold Bars (weight Tls. 10 (Chauping) 978 touch	Tls. 302⁹⁰	Tls. 300⁰⁰	Tls. 300⁴⁰	Tls. 299⁵⁰	Tls. 299⁹⁰	Tls. 299⁷⁰
Shanghai Silver Bars (weight Tls. 100 (C.) 999 touch)	111⁰⁰	111⁰⁰	111⁰⁰	111⁰⁰	111⁰⁰	111⁰⁰
Shanghai Mexican Dollars per $100	72.3875	72.35	72.325	72.2375	72.25	72.275
Native Bank Rate of Interest (Callmoney)	2%	1½%	2%	4%	4%	3%
*Closing Price in London for Previous day. **Closing Price in New York for Previous day						

Bank of England rate of discount	3%	London on Paris	T/T 57.40
Bank of France rate of discount	4½%	London on Germany	T/T 6525
Bank of German rate of discount	7%	New York on London	T/T 447½
London open Market rate of Dis. 3 m/s.	2⅝%	Bombay on London	T/T 1/3⅛
" " 4 m/s.	2⅝%	Hongkong on "	T/T 2/6⅞
" " 6 m/s.	2⅝%	Yokohama " "	T/T 2/1⅝

What the Ships Carry between America and China

Returns of the Shanghai Customs

(Keys: Pls.—1 Picul or 133 1/3 pounds; Bls.— Bales; Pcs.— Pieces; Mille— thousands; Hk. Tls.— Haikwan Taels, Customs Rate July Tael 1.14 equal Gold $1)

S. S. Luise Nielsen, from U. S. A., July 17.

Timber:

Softwood, Ordinary Sawn	Sup. ft	49,704
Hardwood, Ordinary Sawn	,,	1,516,012
Softwood, Clear	,,	30,834

S. S. President Jackson, July 29.

To Seattle.

Tea, Black, Hankow	Pls.	94
Egg, Albumen, Dried	,,	35
Egg, Albumen, Frozen	,,	89
Egg, Yolk, Frozen	,,	107
Egg, Whole, Dried	,,	281

To Boston.

Wool, Sheep's	Pls.	409

To Chicago.

Tea, Green:

Gunpowder, Ningpo	Pls.	234

To Darby.

Silk, Waste:

Shanghai Bls. 34	Pls.	100.37

To Newton.

Silk, Waste:

Shanghai, Bls. 41	Pls.	137

To Philadelphia.

Hair, Goat Beard	Pls.	163
Hair, Human	,,	118

To New York.

Silk, Raw, Steam Filature:

White, Shanghai, Bls. 210	Pls.	209.68
Bristles	,,	65
Chinaware, Coarse	,,	82
Chinaware, Fine	,,	89
Egg, Albumen, Dried	,,	168
Wool, Sheep's	,,	628
Carpets	Pcs.	775
Skins, Fox	,,	435
Skins, Wolf	,,	280

S. S. City of Manchester, from U.S.A., July 19.

Cotton, Raw, Bls. 450	Pls.	1,728

S. S. President Wilson, July 29.

To San Francisco.

Tea, Black, Shanghai	Pls.	53
Tea, Black, Kiukiang	,,	189
Tea, Black, Hankow	,,	516
Tea, Green:		
Gunpowder, Ningpo	Pls.	213
Gunpowder, other Ports	,,	9
Young Hyson, other Ports	,,	51
Antimony, Regulus	,,	6,754
Egg, Albumen, Dried	,,	359
Egg, Albumen, Frozen	,,	140
Egg, Yolk, Dried	,,	504
Egg, Yolk, Frozen	,,	128
Egg, Whole, Dried	,,	172
Egg, Whole, Frozen	,,	144
Tungsten Ore	,,	34
Carpets	Pcs.	69

To San Pedro.

Straw Braid, White	Pls	58

To Baltimore.

Egg, Albumen, Dried	Pls.	183
Egg, Yolk, Dried	,,	576

To Boston.

Tea, Black, other Ports	Pls.	30

To Chicago.

Carpets	Pcs.	36

To Toledo.

Tea, Green:

Gunpowder, Kiukiang	Pls.	42
Young Hyson, Kiukiang	,,	152
Young Hyson, other Ports	,,	91
Hyson, Kiukiang	,,	66
Hyson, other Ports	,,	37

To New York.

Silk, Raw, Re-reeled:

White, other Ports, Bls. 10	Pls.	10.08

Silk Cocoons, Strippings:

Shanghai, Bls. 59	Pls.	200.17
Silk Pongees, Honan	,,	11.77
Silk Pongees, Shantung	,,	28.50
Bristles	,,	160
Egg, Albumen, Dried	,,	1,805
Egg, Yolk, Dried	,,	3,156
Feathers, Duck	,,	172
Hair, Human	,,	101
Wool, Sheep's	,,	3,694
Skins, Goat, Tanned	Pcs.	13,000
Skins, Sheep	,,	1,500
Skin Mats, Dog	,,	5,000
Hats, Rush	,,	12,000

S. S. Empress of Canada, July 29.

To Chicago.

Tea, Black, Kiukiang	Pls.	203
Tea, Green:		
Gunpowder, Ningpo	Pls.	709
Gunpowder, Kiukiang	,,	34
Gunpowder, other Ports	,,	15
Young Hyson, Kiukiang	,,	131
Young Hyson, other Ports	,,	186
Hyson, Kiukiang	,,	16

To New York.

Silk, Raw, Re-reeled:

White, other Ports, Bls. 485	Pls.	483.24

Silk, Raw, Steam Filature:

White, Shanghai, Bls 415	Pls.	411.48
White, other Ports, Bls. 5	,,	5.04

Silk, Raw, Filature:

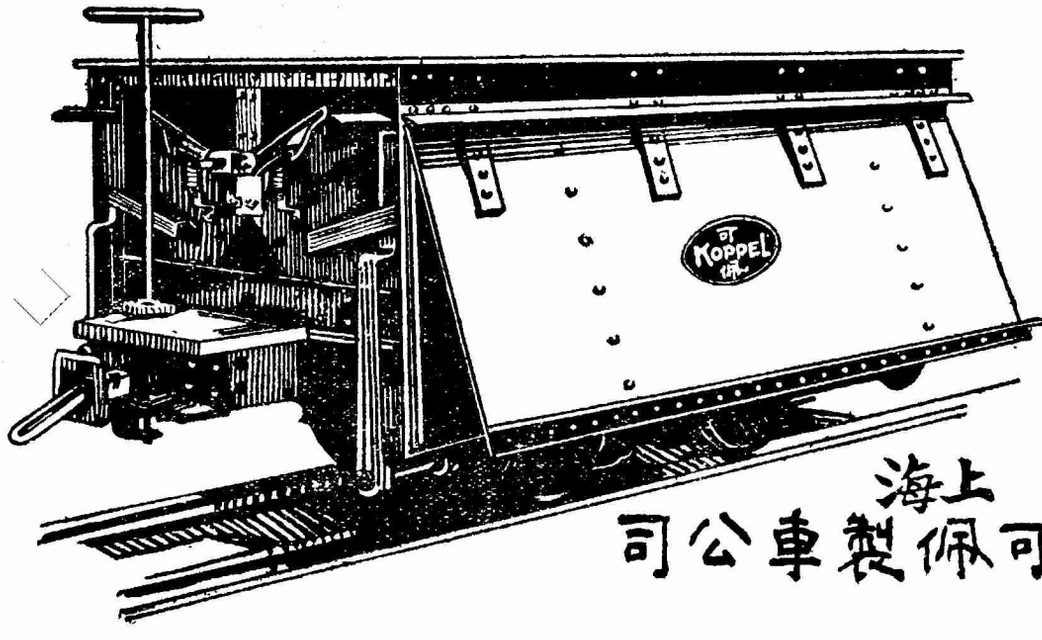
Wild, other Ports, Bls. 12	Pls.	12.30
Egg, Whole, Dried	,,	375
Carpets	Pcs.	236
Skins, Lamb	,,	4,200
Skins, Marmot	,,	1,580
Skins, Wolf	,,	212

S. S. Moorish Prince, from U. S. A., July 22.

Cotton Yarn-dyed	Yds.	191
Iron Angles	Pls	18
,, Bars	,,	1,682
Iron Nails	,,	750
Iron, Plates	,,	5,628
Iron, Galvanized:		
Pipes	Pls.	287
Sheets, Plain	,,	2,008
Tinned Plates, Plain	,,	1,926
Soda, Silicate of	,,	31
Oilcloth	Pcs.	300
Oil, Linseed	Galls.	78
Cigarettes	Mille	64,750

S. S. Monmouth, from U .S. A., July 22.

Iron Defective Wire	Pcs.	406
Iron Tacks	,,	169
Iron Wire Shorts	,,	2,062
Iron, Bars, Old	,,	621
Iron, Galvanized:		
Wire Shorts	Pls	1,654
Soda, Caustic	,,	441
Rum	Doz.	200
Cigarettes	Mille	42,950



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In The United States Court for China

(Established by Act of Congress of June 30, 1906.)

JUDGE, Charles S. Lobingier.
U.S. DISTRICT ATTORNEY, Leonard G. Husar.
U. S. COMMISSIONER, Nelson E. Lurton.
CLERK, William A. Chapman.
DEPUTY CLERK, L. Macoubrey.
U. S. MARSHAL, DISBURSING OFFICER, } Thurston R. Potter.
PRISON PHYSICIAN, DR. T. B. Dunn.
DEPUTY MARSHAL, Wm. Van Buskirk.
OFFICE HOURS 9-1; 2-5.

TIENTSIN:
SPECIAL DEPUTY MARSHAL, I. A. Landesman.

All Notices, Announcements, Judgments, Orders and other Proceedings appearing in this department of THE WEEKLY REVIEW may be accepted as authentic.

Motion Day.

All contested motions and demurrers will hereafter be heard on Mondays, beginning at 3 P. M.; provided notice thereof with proof of service on the adverse party or his attorney shall have been filed in the Clerk's office by 1 P. M. of the preceding Saturday.

Minutes of Recent Proceedings

Hearings:

Sept. 6, 1922, Cause No. 1696, In re Charles W. Hannigs; on petition for Writ of Habeas Corpus.
" 6, " " " 1697, In re Charles W. Hannigs; on petition for Writ of Habeas Corpus.
" 6, " " " 1698, In re Charles W. Hannigs; on petition for Writ of Habeas Corpus.
" 6, " " " 1699, In re Charles W. Hannigs; on petition for Writ of Habeas Corpus.
" 6, " " " 1700, In re Charles W. Hannigs; on petition for Writ of Habeas Corpus
" 7, " " " 1559, In re Joseph Seymour's Will; on petition for allowance to widow.
" 8, " " " 1800, Banque Belge pour l'Etranger v. Montgomery, Ward & Co.; testimony taken of Mayauden and Parlani for plaintiff; and of Quinn, Callahan and Simon for the defense; submitted on briefs to be filed, by plaintiff on or before Sept. 18; by defendant Sept. 28.
" 8, " " " 1871, U. S. v. Chaney; plea of guilty entered.
" 8, " " " 1877, U. S. v. Chaney; plea of guilty entered.
" 8, " " " 1878, U. S. v. Chaney; plea of builty entered.
" 8 " " " 1879, U. S. v. Chaney; no plea entered.
" 8, " " " 1880, U. S v. Chaney; plea of guilty entered.
" 11, " Consular Court Estate, Lenna Mary Stanley; application to approve final account and discharge executor.
" 11, " Consular Court Estate. Harris Palmer Jones; application for authority to close estate.
" 11, " Consular Court Estate, Frances Stockett Hill; application for authority to pay claims.

FLEMING v. UNITED STATES

(*Continued from last week*)

Such an interpretation would deprive this court of the benefit of all subsequent legislation relating in general terms to the Federal judiciary. And that must be the main source of legislative improvement for this court. Congress with its burdensome and growing calendars cannot be expected to pass laws relating exclusively to a single and distant court. Its only hope is to share in the benefits of all general legislation fairly applicable to it.

The claim that this court is limited in contempt cases to the autherity conferred over sixty years ago, because its jurisdiction is to be exercised "in conformity with the laws of the United States" and that Congress cannot by a general act remove that limitation, seems more absurd the longer it is considered. In all probability the phrase last quoted means no more than that in the succeeding section, i.e. procedure. In other words "in conformity with" means "according to the procedure of."

But whatever its intent the Congress which passed the organic act could not bind a succeeding one—could not prevent the Congress which enacted the Judicial Code from extending many of its provisions to this court. And that is exactly what it did as regards sec. 268. That section applies to this court if it is available to "*any* court of the United States."

The inconsistency of respondent's position on this point is apparent from his own argument on his motion for a so-called change of venue. Nothing of the kind was permitted in the old consular courts.

> "No power to change the venue of a cause is given to United States Consular Courts in Japan either by the Statute or the Consular Court Regulations. No cause or proceeding can be remanded by a Consul to another jurisdiction, neither can the Consul General authorise or compel another Consular Officer to leave his jurisdiction and come to Yokohama to sit judicially." [22]

And the statutes relating to consular courts in China were the same. Yet respondent invokes provisions of the Judicial Code which apply only to "district courts" (of which this is not one) while attempting to exclude sec. 268 which applies, as we have seen, to "any court of the United States."

The power to punish for contempt is conferred upon courts in order that they may protect themselves against indignities and obstructions. That this court could not so protect itself by a fine of $50. or imprisonment for twenty-four hours is manifest from this very case. The respondent evidently assumed, without investigation, that such was the limit of the court's power and then deliberately proceeded to incur the risk of its exercise, reasoning thus: "To gratify my desire to insult the court in its presence, I am willing to pay $50., or even to undergo twenty-four

22. Winn v. Hill, (Kanagawa, Japan) September 30, 1882, Scidmore, United States Courts in Japan, 245. Cf. Hinckley, American Consular Jurisdiction in the Orient, 61.

Sept. 11, 1922, Cause No. 1686, American Trading Co., Inc. v. Stewart-Crane Co., Inc.; motion for allowance of preferred claim; submitted.

„ 11, „ „ „ 1829, Chen Van Chee v Wilkins Bros. & Co, Inc.; motion for judgment by default; passed to Sept. 18.

„ 11, „ „ „ 1840, Zao Pa Chuen v. Sino-American Stock & Produce Exchange, Inc; motion for hearing intervention; passed,

„ 11, „ „ „ 1735, Ying v. Greenstone; motion to set; passed.

„ 11, „ „ „ 1379, Chinese-American Bank of Commerce v. Reids Ltd. Inc.; motion to set; submitted.

„ 11, „ „ „ 1670, Swinehart v. Swinehart et al; motion to hear testimony out of order; testimony taken of William V. Alford.

„ 11, „ „ „699 & 753, In re John A. and Amy Bell's Wills; submitted.

„ 11, „ „ „ 1606, Kamorovsky v. Hartford Fire Ins. Co.; motion to set; passed to Sept 15th

(Before the Commissioner)

Sept. 7, 1922, Cause No. 1871, U. S. v. Chaney; preliminary hearing waived; bound over higher court.

„ 9, „ „ „ 1874, U. S. v. Harvey; testimony taken of Milne, S. P. C. 548 and defendant.

„ 5, „ „ „ 1872, U. S. v. King; testimony taken of Yantsen, Chanan Singh, Ujagar Singh and defendant.

Judgments and Orders:

Sept. 8, 1922, Cause No. 1696, In re Charles W. Hannigs; order; writ allowed.

„ 8, „ „ „ 1697, In re Charles W. Hannigs; order; writ denied.

„ 8, „ „ „ 1698, In re Charles W. Hannigs; order; writ denied.

„ 8, „ „ „ 1699, In re Charles W. Hannigs; order; writ denied.

„ 8, „ „ „ 1700, In re Charles W. Hannigs; order; writ denied.

„ 8, „ „ „ 1559, In re Joseph Seymour's Will; order granting allowance to widow.

„ 11, „ „ Consular Court Estate, Lenna Mary Stanley; order granting authority to approve final account and discharge of executor.

„ 11, „ „ Consular Court Estate, Harris Palmer Jones; order authorizing closing of estate.

„ 11, „ „ Consular Court Estate, Frances Stockett Hall; order authorizing payment of claims.

„ 11, „ „ „ 1871, U.S. v. Chaney; sentence.

„ 11, „ „ „ 1877, U.S. v. Chaney; sentence.

„ 11, „ „ „ 1878, U.S. v. Chaney; sentence.

„ 11, „ „ „ 1880, U.S. v. Chaney; sentence.

„ 11, „ „ „ 1686, American Trading Co., Inc. v. Stewart-Crane Co., Inc.; order allowing claim.

„ 12, „ „ „699 & 753, In re John A. & Amy Bell's Wills; order allowing fees of attorney and executors.

„ 12, „ „ „ 1606, E. Y. Kamorovsky v. Hartford Fire Ins. Co. & American Foreign Ins. Assn.; order on petition for leave to intervene.

hours confinement." But had he known that the court could imprison him "at its discretion" it is altogether unlikely that he would have done what he did.

It is clear, therefore, that the section invoked by respondent would not enable this court to protect itself in such cases, or, in other words, is deficient. And on that ground alone it is inapplicable. For the very section of the organic act invoked by respondent provides:

> "in all such cases when such laws are deficient in the provisions necessary to give jurisdiction or to furnish suitable remedies, *the common law and the law as established by the decisions of the courts of the United States* shall be applied by said court in its decisions and shall govern the same subject to the terms of any treaties between the United States and China." [23]

And under the common law which is thus rendered available, the power to punish for centempt is, as we have seen, discretionary.

The utter falsity of defendant's reckless statements, mentioned in the original order, is clearly shown by the counter affidavits which have been considered in ruling on this motion. Nor is it suggested in respondent's brief that the sentence is excessive on its merits but merely that it exceeds the consular limitation. Moreover, the respondent still expresses no regret for his action, manifests no penitence and suggests no intention or desire to purge himself of the contempt. Under these circumstances we have no alternative but to overrule his motion to reduce the sentence.

On August 8, 1921, respondent, for the first time, filed an application for bail pending a writ of error. One who has been adjudged guilty of contempt is not entitled to bail as of right. [24] But in this case, such an application would have been considered at any time since respondent's commitment. For while, we have no doubt of the regularity of these proceedings, we are unwilling to place the slightest obstacle in the way of their review by the appellate court and unless bail is granted a writ of error might be nugatory; for the sentence would probably be served before there could be a hearing in the Court of Appeals.

The motion to reduce the sentence is, accordingly, overruled but the application for bail pending a writ of error, is granted and it is hereby ordered that, upon the respondent's executing a proper bond in the sum of $2000, United States Currency, and perfecting said writ of error by filing his assignment of errors and a bill of exceptions containing all the affidavits, service of the balance of his sentence be deferred until the disposition, in any manner, of said proceeding in the Court of Appeals.

23. Act of June 30, 1906, 34 U. S. Stats. at Large, ch. 3934, sec. 4.
24. Reg. v. Ellis, 32 N. B. 561.

(By the Commissioner)

Sept. 7, 1922, Cause No. 1871, U. S. v. Chaney; order.

„ 8, „ „ „ 1819, Djemarova v. Clancy; order dismissing action.

„ 9, „ „ „ 1874, U. S. v. Harvey; order.

„ 9, „ „ „ 1872, U. S. v. King; order.

Assignments for Hearing:

September 15, 1922, 9:30 a. m., Cause No 1606, Kamorovsky v. Hartford Fire Ins. Co.

„ 18, 1922, 3:00 p. m., Cause No. 1829, Chen Van Chee v. Wilkins Bros & Co, Inc.

Miscellaneous Filings:

Sept. 6, 1922, Cause No 1852, Ping Kee v. Fireman's Fund Insurance Co.; answer.
" 6, " " " 1870, Doong Yih & Co. v. Rossia Insurance Co. of America; marshal's return of summons.
" 6, " " " 1559, In re estate of Joseph Seymour, deceased; petition.
" 6, " " " 1872, U. S. v. King; marshal's return of warrant; bond.
" 6, " " " 1864, U. S. v. Boyd; final commitment issued.
" 6, " " " 1731, U. S. v. Bowe; motion.
" 6, " " " 1735, Ying v. . Greenstone; motion to set; notice.
" 7, " " " 1874, U. S. v. Harvey; complaint.
" 7, " " " 1875, U. S. v. Pinkham; complaint.
" 7, " " " 1871, U. S. v. Chaney; marshal's return of warrant.
" 7, " " " 1873, Djemarova v. Clancy; Complaint.
" 8, " " " 1803, Stotler v. Andersen, Meyer & Co.; defendant's memorandum.
" 8, " " " 1871, U. S. v. Chaney; information.
" 8, " " " 1877, U. S. v. Chaney; information.
" 8, " " " 1878, U. S. v. Chaney; information.
" 8, " " " 1879, U. S. v. Chaney; information.
" 8, " " " 1880, U. S. v. Chaney; information.
" 8, " " " 1384, Jatz Y. T. King v. A. O. Andersen & Co.; answer.
" 8, " " " 1819, Djemarova v. Clancy; discontinuance.
" 9, " " " 1443, Silas v. Arkell & Douglas; petition of appeal.
" 9, " " " 1853, Li Heng Chiu v. Wagnan; answer.
" 9, " " " 1379, Chinese-American Bank of Commerce v. Reids Ltd. Inc.; motion; notice.
" 9, " " " 1670, Swinehart v. Swinehart et al.; motion; notice.
" 9, " " " 1848, Kou Star v. R. S. Boyd & Co, and P. F. Pomeroy; affidavit; motion.
" 9, " " " 1875, U. S. v. Pinkham; warrant issued.
" 9, " " " 1881, Hrenoff v. Kosel; complaint.
" 11, " " " 1866, In re estate of Patricio Castro Perez, deceased; application; order.
" 11, " " " 1867, Mao Tung Products Co. v. North China Cold Storage Co. Inc.; Marshal's return of summons.
" 11, " " " 1856, Yu Fong Steamship Co. v. Wm. Katz & Co.; answer.
" 11, " " " 1871, U. S. v. Chaney; final commitment issued.
" 11, " " " 1877, U. S. v. Chaney; final commitment issued.
" 11, " " " 1878, U. S. v. Chaney; final commitment issued.
" 11, " " " 1880, U. S. v. Chaney; final commitment issued.
" 11, " " " 1840, Zao Pa Chuen v. Sino-American Stock and Produce Exchange, Inc.; petition in bankruptcy.
" 12, " " " 1882, U. S. v. Whitton; affidavit; warrant issued.
" 12, " " Pacific Ice & Cold Storage Co. Inc.; certificate of proceedings.
" 12, " " " 1875, U. S. v. Pinkham; marshal's return of warrant; bond.

IN THE U. S. COMMISSIONER'S COURT FOR THE DISTRICT OF SHANGHAI

In re Estate of	Cause No. 1866
PATRICIO CASTRO PEREZ,	Estate No. 447
Deceased.	NOTICE

Pursuant to an Order of said Court, notice is hereby given to all persons having claims against the estate of Patricio Castro Perez, deceased, to present the same, with vouchers, to the undersigned, at Shanghai, China on or before March 9th, 1923, and all persons owing debts to said deceased are hereby notified to make payment of the same in due course to the undersigned.

SIMON DASMARINAS,
Administrator,
c/o U. S. Court for China.

Shanghai, China, Sept. 9th, 1922.

IN THE UNITED STATES COURT FOR CHINA

In re Last Will and Testament of	Cause No. 1822
LEONIDAS WILLIAM PIERCE,	Estate No. 440
Deceased.	NOTICE

Pursuant to an order of said Court, notice is hereby given to all persons having claims against the estate of the above named deceased, to present the same with vouchers to the undersigned on or before February 24, 1923, and all persons owing debts to said deceased are hereby notified to make payment of the same in due course to the undersigned.

(Mrs.) Nellie A. Pierce,
Executrix,
c/o Central China Mission,
Yangchow, China.

Shanghai, China,
August 24, 1922.

IN THE UNITED STATES COURT FOR CHINA

In re Estate of	Cause No. 1832
GERTRUDE FRANCES MISSEMER,	Estate No. 442
Deceased.	NOTICE

Pursuant to an order of said Court, notice is hereby given to all persons having claims against the estate of the above named deceased, to present the same with vouchers to the undersigned on or before February 24, 1923, and all persons owing debts to said deceased are hereby notified to make payment of the same in due course to the undersigned.

Geo. W. Missemer,
Administrator,
8, Ford Lane,
Shanghai, China.

Shanghai, China,
August 24, 1922.

Sept. 12, 1922, Cause No. 1883, In re Will of George L. Clyde Gelwick; petition; report of death; will; deposition.
" 12, " " " 1884, In re estate of Helen Oliver Cornish, deceased; petition; report of death.
" 12, " " " 1885, Chwang v. Siemer; petition,
" 12, " " " 1873, Djemarova v. Clancy; summons issued.
" 12, " " " 1881, Hrenoff v. Kosel; summons issued.
" 12, " " " 1803, Stotler v. Andersen, Meyer & Co.; memorandum on behalf of plaintiff.

Shanghai-Nanking Railway Abridged Time Table.

Shanghai North to Nanking—Up (Main Line) **Nanking to Shanghai North—Down**

STATIONS	Local	Fast R.	Local	3rd & 4th Local	Express R.	3rd & 4th	Local	Fast R.	Local	Fast Local	Local	Local	Night Express R. S.
Shanghai North d.		7.00	7.15	7.35	9.30	9.50	12.10	12.30	15.25	17.15	17.45	19.35	23.30
Nansiang ... ... d.		7.28	7.45	8.03	—	10.31	12.41	12.58	16.01	17.47	18.15	20.05	0.02
Soochow ... ... d.		8.59		9.41	11.14	12.53		14.43	18.24	19.39			1.39
Wusih ... ... d.	7.00	9.59		10.44	12.02	14.12		15.38	19.34	20.36			2.38
Changchow ... d.	8.14	10.56		11.41	12.49	15.28		16.38		21.38			3.42
Tanyang ... ... d.	9.30	11.52			13.38	16.28		17.38					—
Chinkiang ... d.	10.31	12.49			14.22	17.34		18.33					5.34
Nanking ... ... a.	12.30	14.21			15.43	19.35		20.02					7.20
Pukow ... ... d.					17.05								9.30
Hsuchowfu ... d.					1.16	T.P.L.						T.P.L.	19.40
Tsinanfu ... ... d.					9.38	II day						II day	6.00
Tientsin Central a.					*8.05								15.25
Do. d.					18.15								16.16
Tientsin East ... a.					18.25	P.M.L.						P.M.L.	—
Do. d					18.55								19.15
Peking ... ... a.					22.06								

STATIONS	Local	Fast Local	Local	Local	Fast R.	3rd & 4th Local	3rd & 4th	Fast R.	Local	Local	Express R.	Local	Night Express R. S.
Peking ... ... d.											10.15		5.50
Tientsin East ... a.											13.35	P.M.L.	—
Do. d.										P.M.L.	14.00		9.14
Tientsin Central a.											14.10		10.00
Do. d.											14.20		19.43
Tsinanfu ... ... d.										T.P.L.	22.21	T.P.L.	5.28
Hsuchowfu ... d.										II day	6.31	II day	16.15
Pukow ... ... a.											14.30		23.00
Nanking ... ... d.					7.40		8.10	11.05			15.50	16.15	0.52
Chinkiang ... d					9.20		10.25	12.54			17.29	18.27	—
Tanyang ... ... d.					9.57		11.21	13.36			18.03	19.26	2.41
Changchow ... d.			7.10		10.59	12.00	12.44	14.32			18.57	20.46	3.53
Wusih ... ... d.		7.20	8.22		11.59	13.02	14.07	15.33			19.43	21.52	4.38
Soochow ... ... d.		8.21	9.39		12.54	14.02	15.25	16.31			20.32		6.26
Nansiang ... ... d.	8.15	10.33	11.34	13.00	14.27	16.03	17.45	18.18	18.40	20.35	—		6.50
Shanghai North a.	8.42	11.00	12.05	13.30	14.55	16.30	18.20	18.45	19.13	21.05	22.00		

Woosung Forts to Shanghai North—Up (Branch Line) **Shanghai North to Woosung Forts—Down**

Woosung Forts d.	6.45	8.15	9.40	11.05	12.30	13.55	15.20	16.45	18.10	19.35	21.00	22.25	23.50	1.15
Kiangwan ... d.	7.10	8.40	10.05	11.31	12.55	14.20	15.46	17.10	18.35	20.00	21.25	22.50	0.15	1.40
Tientungan ... d.	7.16	8.46	10.11	11.37	13.01	14.26	15.52	17.16	18.41	20.06	21.31	22.56	0.21	1.46
Shanghai North a.	7.20	8.50	10.15	11.41	13.05	14.30	15.56	17.20	18.45	20.10	21.35	23.00	0.25	1.50

Shanghai North d.	6.00	7.30	9.00	10.25	11.50	13.15	14.40	16.05	17.30	18.55	20.20	21.45	23.10	0.35
Tientungan ... d.	6.05	7.35	9.05	10.30	11.55	13.20	14.45	16.10	17.35	19.00	20.25	21.50	23.15	0.40
Kiangwan ... d.	6.12	7.42	9.12	10.37	12.02	13.27	14.52	16.17	17.42	19.07	20.32	21.57	23.22	0.47
Woosung Forts a.	6.35	8.06	9.35	11.00	12.25	13.50	15.15	16.40	18.05	19.30	20.55	22.20	23.45	1.10

R. Restaurant Cars. S. Sleeping Cars

* These additional trains run each Saturday and Sunday

Shanghai-Hangchow-Ningpo Railway Abridged Time Table.

Shanghai North to Zahkou—Down (Main Line) **Zahkou to Shanghai North—Up**

STATIONS	Local	Express R.	2nd 3rd & 4th	Fast R.	Local	Local	Night Express R.
Shanghai North ..... dep.	..	8.00	9.00	13.20	15.45	..	19.15
Jessfield ..... dep.	..	8.15	9.16	13.36	16.05	..	19.30
Siccawei ..... dep.	..	8.21	9.23	13.43	16.13	..	19.36
L'hwa Junction ..... dep.	..	8.35	9.40	14.00	16.30	..	19.50
Shanghai South ..... dep.	..	*8.05*	*9.05*	*13.25*	*15.45*	*18.00*	*19.20*
Lunghwa Junction ..... arr.	..	*8.38*	*9.23*	*13.43*	*16.03*	*18.18*	*19.38*
Sungkiang ..... dep.	..	9.14	10.50	14.46	17.42	..	20.29
Kashai ..... dep.	..	10.01	11.57	15.43	18.47	..	21.16
Kashing ..... dep.	7.25	10.31	12.40	16.16	——	..	21.46
Yehsah ..... dep.	8 19	11.02	13.32	16.56	----	..	22.17
Changan ..... dep.	9.25	11.36	14.23	17.35	----	..	22.51
Hangchow ..... dep.	11.00	12.30	16.00	18.50	----	..	23.45
Zahkou ..... arr.	11.25	12.45	16.30	19.10	----	..	24.00

STATIONS	Local	Local	Express R.	Local	2nd 3rd & 4th	Fast R.	Local	Night Express R.
Zahkou ..... d.	..	..	7.15	..	8.40	13.20	15.35	18.00
Hangchow ..... d.	..	..	7.40	..	9.15	13.50	16.10	18.2*
Changan ..... d.	..	..	8.29	..	10.45	15.00	17.45	19.1*
Yehsah ..... d.	..	..	9.00	..	11.53	15.37	18.45	19.45
Kashing ..... d.	..	7.30	9.39	..	12.50	16.24	..	20.2*
Kashai ..... d.	..	8.02	10.02	..	13.26	16.52	..	20.4*
Sungkiang ..... d.	..	9.15	10.52	..	14.42	17.49	..	21.4*
Lunghwa Junction .... d.	*8.37*	*10.37*	*11.37*	*13.57*	*16.07*	*18.42*	..	*22.3*
Shanghai South ..... a.	*8.55*	*10.55*	*11.55*	*14.15*	*16 25*	*19.00*	..	*22.4*
L'hwa Junction .... d.	..	10.34	11.32	..	15.50	18.40	..	22.2*
Siccawei ..... d.	..	10.43	11.40	..	15.59	18.49	..	22.3*
Jessfield ..... d.	..	10.51	11.46	..	16.06	18.56	..	22.3*
Shanghai North .... a.	..	11.05	12.00	..	16.20	19.10	..	22.5*

Konzenchiao to Zahkou (Kiangshoo Branch Line) **Zahkou to Konzenchiao**

Konzenchiao .... dep.	7.05	9.10	11.35	13.45	16.05	17.30	22.55
Kenshangmun ... dep.	7.20	9.25	11.50	14.06	16.20	17.45	23.10
Hangchow ..... dep.	7.37	9.37	..	14.17	..	17.57	..
Zahkou ..... arr.	7.55	9.55	..	14.35	..	18.15	..

Zahkou ..... dep.	8.10	10.18	..	15.05	..	18.30	..
Hangchow ..... dep.	8.30	10.30	12.25	15.25	16.45	18.51	23.50
Kenshangmun . dep.	8.42	10.47	12.37	15.37	16.57	19.02	0.02
Konzenchiao .. arr.	8.55	11.00	12.50	15.50	17.10	19.51	0.15

R Restaurant Car